



# EXHIBIT 46

For Federal criminal case

-- BRIEF / MEMORANDUM IN SUPPORT OF  
BRIAN DAVID HILL'S "MOTION UNDER 28  
USC § 2255 TO VACATE, SET ASIDE, OR  
CORRECT SENTENCE BY A PERSON IN  
FEDERAL CUSTODY" - DECLARATION,  
ATTACHED EXHIBITS, AND BRIEF IN  
SUPPORT OF THIS MOTION --

United States of America v. Brian David Hill  
(Brian D. Hill) (formerly USWGO Alternative  
News)

Criminal Case Number 1:13-cr-00435-1

**U.S.W.G.O.**

Monday, October 21, 2013

# U.S.W.G.O.

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## NC Senator Phil Berger receives the Nullify-NDAA Petition at the Mayodan Town Hall

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May 15, 2012 by Brian D. Hill (Edit)

Filed under Brian D. Hill's Articles, Featured Showcase, Politics,

USWGO

<http://uswgo.com/nc-senator-phil-berger-receives-the-nullify-ndaa-petition-at-the-mayodan-town-hall.htm> [10/21/2013 9:21:42 PM]

*Enhanced (Sharpened) Screen Capture of Video of NC Senator Phil Berger being given the petition*

Author: Brian D. Hill

Note: To Access the progress USWGO has had at fighting the NDAA please check out our [Public Records Archive](#).

Update May 17th: There was one reporter there that witnessed the petitioning process with me giving the petition directly to Sen. Berger. The reporter was found out to work for The Madison Messenger. No article has been found on their website as of yet but after a weeks vacation the reporter is going to talk to me and likely ask me some questions and within weeks a article will likely be written.

Yesterday was a historic day in the town of Mayodan on May 14th 2012 at the James A. Collins Municipal Building. Yesterday was the day that I, Brian D. Hill, has given NC Senator Phil Berger a copy of the Nullify-NDAA Petition to get the state of North Carolina to protect it's citizens rights to a court trial and an attorney.

What exactly happened at this event was that while the cameras were rolling a two minute minute speech was made about the whole petition gathering process and then I gave the petition and my Report on the NDAA ([USWGO.com](#) PDF 0.98MB) to NC Senator Phil Berger while the cameras where rolling. The two other times Sen. Berger was just given documentation usually after the town council meeting or before but this time it was during the town council meeting so that the cameras and witnesses that attended prove that Sen. Berger received a copy of the Nullify-NDAA petition plus the Report on the NDAA for the state Government and cannot claim that he didn't get it in the event that the Feds (Federal Government) put behind-the-scenes pressure on him.

The NDAA has a nasty provision which can mean the indefinite detention of anybody including American citizens if they are simply considered hostile. The legal definition of hostility under Black's law is very vague and over-broad and can include most disgruntled American citizens. Now people can be thrown in torture dungeons overseas and may never see the light of day and may even be cooked in some furnace just like Nazi Germany. That is why this petition was created to put a stop to the cruelty and treasonous behavior the corrupt elements of our Government want to accomplish through fiat legal enforcement. Nullify-NDAA for North Carolina will get the state of North Carolina to pass a bill into law similar to HB1160 that has had great success in the Virginia state house. HB1160 is the bill that forbids the military in the state from being ordered to violate the U.S. Constitution and the Constitutional Rights under the U.S. Constitution. Even in State Constitutions (Modeled after the U.S.) the rights and liberties of the people are protect and codified into law.

<http://uswgo.com/nc-senator-phil-berger-receives-the-nullify-ndaa-petition-at-the-mayodan-town-hall.htm> [10/21/2013 9:21:42 PM]

The report on the NDAA by me (Brian D. Hill) exhibits a letter from U.S. Senator Rand Paul to the current Virginia Governor, my legal analysis on the NDAA (Was reviewed by a independent researcher, a news article on the fusion center targeting Ron Paul bumper stickers as terrorists, some pages of Project Megiddio, transcript of a leaked video of a FEMA Commander that demonized the founding fathers of the United States of America and Christians as domestic terrorists to a group of police and firefighters, a copy of the bill HB1160 that passed the Virginia House of Delegates, and Legal argument 4623 on why a court trial is necessary even for terrorism suspects. Again that document can be accessed below or you can access it on Scribd.

[http://uswgo.com/wp-content/uploads/2012/03/USWGO-Brian-D-Hill-Report-on-NDAA-for-state-govt\\_Redacted\\_certified.pdf](http://uswgo.com/wp-content/uploads/2012/03/USWGO-Brian-D-Hill-Report-on-NDAA-for-state-govt_Redacted_certified.pdf)

The media did not cover the event so the quality of the video may not be at it's best but despite that at least there was footage at all of this very important event. This event will mainly rely on the alternative news outlets across the Internet to make this historical event viral to persuade NC Senator Phil Berger that the only option the voters want him to take is to follow the Nullify-NDAA Petition and get a bill introduced. So despite the fact that the media was notified multiple times that a press conference was scheduled for May 14th and even the address was given to where the press conference was to be held, the media lied about all attending the press conference and making interviews about the Nullify-NDAA petition movement. The only people that filmed the event was the personally had two cameras rolling (One on a tripod on automatic video recording, and my mother was the camera person), my grandparents also filmed the event, and I even used a netbook with a attached wind-guard microphone to capture the town council meeting and press conference. Looks like USWGO was the only media that arrived at the Mayodan Town Hall and the alternative

[http://uswgo.com/nc-senator-phil-berger-receives-the-nullify-ndaa-petition-at-the-mayodan-town-hall.htm\[10/21/2013 9:21:42 PM\]](http://uswgo.com/nc-senator-phil-berger-receives-the-nullify-ndaa-petition-at-the-mayodan-town-hall.htm[10/21/2013 9:21:42 PM])

Of course after the town council meeting I was gonna ask the Mayodan Chief of Police Charles Caruso about what he thought about the NDAA Documentation I gave him around April 9th 012 but he bolted through the back door which I discovered as I rushed over to the Mayodan Police Station right beside the towns municipal building. Me and my friend named Michael Atkins tried to get to the chief of police but when it failed we both gave up on perusing him so I can ask him that question.

Also I gave a copy of the petition to Town Manager Michael Brandt as you can see in the YouTube video at the Mayodan Town Council videos under the USWGO YouTube channel.

There was also a speech preparation document which also documents that I was suppose to give my Nullify-NDAA petition to Sen. Berger.

Emails have been sent to the offices of NC Senator and President Pro Tempore Phil Berger, Legislators Bryan Holloway and Bert Jones with access to the full 20 page grayscale petition on Nullify-NDAA, my Report on the NDAA, and given access to the YouTube video proving that Sen. Berger did indeed receive both the petition and report via special folders. Also requests have been made in them to which I am to receive emails to certify that they have indeed been received for legal formality.

Rep. Bert Jones received the petition via email, Rep. Bryan R. Holloway received the petition via email and I received verification that the email was indeed read by a read receipt, and Sen. Phil Berger received the petition in-person and his office via email which

<http://uswgo.com/nc-senator-phil-berger-receives-the-nullify-ndaa-petition-at-the-mayodan-town-hall.htm> [10/21/2013 9:21:42 PM]

I confirmed they got it via a phone call to their office.

If you wish to contact your own representatives and senators in North Carolina you can find out at [NCLeg.net](http://NCLeg.net) (or [www.ncga.state.nc.us](http://www.ncga.state.nc.us)) or you can contact Sen. Berger, Rep. Holloway, and Rep. Jones at their contact info below and voice your support for Nullifying the NDAA in the state of North Carolina as what the 221 petition signers have declared in Nullify-NDAA by USWGO's Brian D. Hill.

Contact them quickly while the sun still shines and while we can still exercise our Freedom of Speech and Freedom of Press.

**Representative Bryan R. Holloway (Rep)**

Office:	529 Legislative Office Building
Phone:	919-733-5609
Email:	<a href="mailto:Bryan.Holloway@ncleg.net">Bryan.Holloway@ncleg.net</a>
Legislative Mailing Address:	NC House of Representatives 300 N. Salisbury Street, Room 529 Raleigh, NC 27603-5925
Terms in House:	4 (0 in Senate)
District:	91
Counties Represented:	<a href="#">Rockingham, Stokes</a>
Occupation:	History Teacher, Farmer
Address:	1165 Sterling Pointe Dr., King, NC 27021
Phone:	336-985-0826
No Gifts List?	Yes

**Senator Phil Berger (Rep)**

Office:	2008 Legislative Building
Phone:	(919) 733-5708
Email:	<a href="mailto:Phil.Berger@ncleg.net">Phil.Berger@ncleg.net</a>
Legislative Mailing Address:	NC Senate 16 W. Jones Street, Room 2008 Raleigh, NC 27601-2808
Terms in Senate:	6 (0 in House)
District:	26
Counties Represented:	<a href="#">Guilford, Rockingham</a>

Occupation:	Attorney
Address:	P.O. Box 1309, Eden, NC 27289-1309
Phone:	(336) 623-5210
Representative Bert Jones (Rep)	
Office:	306A1 Legislative Office Building
Phone:	919-733-5779
Email:	<a href="mailto:Bert.Jones@ncleg.net">Bert.Jones@ncleg.net</a>
Legislative Mailing Address:	NC House of Representatives 300 N. Salisbury Street, Room 306A1 Raleigh, NC 27603-5925
Terms in House:	1 (0 in Senate)
District:	65
Counties Represented:	<a href="#">Rockingham</a>
Occupation:	Dentistry
Address:	299 Fairfield Rd., Reidsville, NC 27320
Phone:	336-342-6171

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Tags: [Bert Jones](#), [Bryan R. Holloway](#), [Legislator](#), [National Defense Authorization Act](#), [NC](#), [NDAA](#), [North Carolina](#), [Nullify NDAA](#), [petition](#), [Phil Berger](#), [report](#), [Representative](#), [Senator](#)

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## Comments

<http://uswgo.com/nc-senator-phil-berger-receives-the-nullify-ndaa-petition-at-the-mayodan-town-hall.htm> [10/21/2013 9:21:42 PM]

## 20 Comments on "NC Senator Phil Berger receives the Nullify-NDAA Petition at the Mayodan Town Hall"

- **NC Senator Phil Berger receives the Nullify-NDAA Petition at the Mayodan Town Hall | Victors Post** on Tue, 15th May 2012 7:52 pm ([Edit](#))

[...] Source: USWGO Alternative News [...]

- **NC Senator Phil Berger Receives The Nullify NDAA Petition At The Mayodan Town Hall** on Wed, 16th May 2012 5:56 am ([Edit](#))

[...] Source: USWGO Alternative News [...]

- **Rocco** on Wed, 16th May 2012 9:02 pm ([Edit](#))



Brian – I hope you can attend tomorrow – I know this is short notice. Rep. Glen Bradley as of today introduced resolutions to oppose the NDAA and Agenda 21.

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2011&BillID=h982&submitButton=Go>

<https://docs.google.com/open?id=0ByAbMc4d18WVR0VIUjN0ZUVBdnM>

Thursday's NDAA / Agenda 21 press conference will be held in the "press conference room" in the Legislative Building of the North Carolina General Assembly at 10:00 a.m.

This is the short-session folks. It's only scheduled to last six weeks. If We the People don't show serious support for Rep. Bradley's efforts, the GOP leadership will NOT defend the Bill of Rights. They will NOT defend YOU against a rogue federal government, and they won't deserve your votes this November!

It's just that simple. Nothing they are working on is more important than keeping their oath to defend our God-given Rights! North Carolina wouldn't even ratify the Constitution because it did not have a Bill of Rights attached. Will North Carolina now refuse to defend it? Without your support and presence... probably so.

For those of you who can't make it, (and don't use this as an excuse not to come in person), the Patriot Coalition / The Intolerable Acts ACTION CENTER will be broadcasting the press conference "live" at <http://livestream.com/theintolerableacts>

Please join us Thursday morning at 10:00a.m. I will be on "the bridge" (that crosses over to the legislator's office building from the Legislative Building) from 9:30 – 9:45.

Jeff Lewis  
National Director  
Patriot Coalition  
[Jeff@patriotcoalition.com](mailto:Jeff@patriotcoalition.com)

252-876-9489

- [WeAreChangeTV.US – NC Senator Phil Berger receives the Nullify-NDAA Petition at the Mayodan Town Hall on Fri, 18th May 2012 11:48 am \(Edit\)](#)

[...] Source: USWGO Alternative News [...]

- [Federal Jack on Fri, 18th May 2012 11:50 am \(Edit\)](#)

NC Senator Phil Berger receives the Nullify-NDAA Petition at the Mayodan Town Hall...

Yesterday was a historic day in the town of Mayodan on May 14th 2012 at the James A. Collins Municipal Building. Yesterday was the day that I, Brian D. Hill, has given NC Senator Phil Berger a copy of the Nullify-NDAA Petition to get the state of North...

- [Liberty Candidate Glen Bradley introduces Bill to Nullify the NDAA Law « Liberty Candidates blog on Wed, 23rd May 2012 8:08 am \(Edit\)](#)

[...] the same time which the bill was introduced I under USWGO has, for two months(first attempt, second attempt), attempted to get State Senator Phil Berger to go against the NDAA law, which even includes giving [...]

- [WeAreChangeTV.US – NC Rep. Byran Holloway supports NC H.R. 982 to Oppose NDAA thanks to Nullify-NDAA on Wed, 23rd May 2012 4:56 pm \(Edit\)](#)

[...] what was stated at the Mayodan Town Council on two occasions on May 14th 2012, The NDAA allows the military to being given orders to secretly [...]

- [WeAreChangeTV.US – NC Sen. Phil Berger & Rep. Bert Jones still haven't responded to Nullify-NDAA Petition on Tue, 5th Jun 2012 9:45 am \(Edit\)](#)

[...] state Senator Phil Berger and Representative Bert Jones have still kept quiet on a response to the Nullify-NDAA Petition with over 215 confirmed Constituents signatures, 221 signatures in total collected in Rockingham [...]

- [NC Sen. Phil Berger & Rep. Bert Jones still haven't responded to Nullify-NDAA Petition on Tue, 5th Jun 2012 3:49 pm \(Edit\)](#)

[...] state Senator Phil Berger and Representative Bert Jones have still kept quiet on a response to the Nullify-NDAA Petition with over 215 confirmed Constituents signatures, 221 signatures in total collected in Rockingham [...]

- [NC Sen. Phil Berger & Rep. Bert Jones still haven't responded to Nullify-NDAA Petition « The King David Show on Tue, 5th Jun 2012 6:11 pm \(Edit\)](#)

<http://uswgo.com/nc-senator-phil-berger-receives-the-nullify-ndaa-petition-at-the-mayodan-town-hall.htm> [10/21/2013 9:21:42 PM]

[...] state Senator Phil Berger and Representative Bert Jones have still kept quiet on a response to the Nullify-NDAA Petition with over 215 confirmed Constituents signatures, 221 signatures in total collected in Rockingham [...]

- **Nullify-NDAA is not dead yet in NC, theres still a chance to call your representatives | Rockingham County; USWGO Alternative News on Tue, 12th Jun 2012 12:34 am (Edit)**

[...] only problem is that right after the Nullify-NDAA petition has brought the legal signatures from 221 residents it is apparently not enough for Rep. Jones and Sen. Berger even though Rep. [...]

- **NC Senator Phil Berger refuses to take action on Nullify-NDAA, betrays his Constituents! : Federal Jack on Mon, 18th Jun 2012 8:38 pm (Edit)**

[...] Phil E. Berger. The phone call details that the senator will take absolutely no action on the Nullify-NDAA [...]

- **WeAreChangeTV.US – NC Senator Phil Berger refuses to take action on Nullify-NDAA, betrays his Constituents! on Mon, 18th Jun 2012 10:43 pm (Edit)**

[...] Phil E. Berger. The phone call details that the senator will take absolutely no action on the Nullify-NDAA [...]

- **NC Senator Phil Berger Refuses to Take Action on Nullify-NDAA : on Wed, 20th Jun 2012 11:32 am (Edit)**

[...] Phil E. Berger. The phone call details that the senator will take absolutely no action on the Nullify-NDAA petition. To make matters worse Sara even redirected me to my U.S. Congressmen when the majority of [...]

- **NC Senator Phil Berger refuses to take action on Nullify-NDAA, betrays his Constituents! | Victors Post on Wed, 20th Jun 2012 7:46 pm (Edit)**

[...] Phil E. Berger. The phone call details that the senator will take absolutely no action on the Nullify-NDAA [...]

- **WeAreChangeTV.US – NC Sen. Phil Berger's most campaign contributors are big banks, big pharma, big telecom! on Sat, 30th Jun 2012 8:47 am (Edit)**

[...] but has decided to give money to the state senator this year close to the time that he received the Nullify-NDAA Petition. If you don't know what a PAC is it stands for a Political Action [...]

- **Local corporate media did not cover the Nullify-NDAA NC Press Conference | We Are Change on Thu, 5th Jul 2012 3:14 am (Edit)**

[...] I went in front of the Mayodan town council on March 14th 2012, gave NC Senator and President pro Tempore of the NC Senate Phil Berger a copy [...]

- **NC Senator Phil Berger receives the Nullify-NDAA Petition at the Mayodan Town Hall | We Are Change on Thu, 5th Jul 2012 3:14 am (Edit)**

[...] Source: USWGO Alternative News [...]

- **NC Sen. Phil Berger's most campaign contributors are big banks, big pharma, big telecom! | USWGO Alternative News on Tue, 17th Jul 2012 12:56 am (Edit)**

[...] but has decided to give money to the state senator this year close to the time that he received the Nullify-NDAA Petition. If you don't know what a PAC is it stands for a Political Action [...]

- **Congress approval rating around 10% around August 2012 | USWGO Alternative News on Mon, 20th Aug 2012 9:30 pm (Edit)**

[...] of a portion of both the U.S. Constitution and the North Carolina Constitution. When USWGO filed a petition with State Senator Phil Berger and gave him documents proving that it is null and void [...]

Tell us what you're thinking...

and oh, if you want a pic to show with your comment, go get a [gravatar!](#)

Logged in as [Brian D. Hill](#). [Logout »](#)

Speak your mind



<http://uswgo.com/nc-senator-phil-berger-receives-the-nullify-ndaa-petition-at-the-mayodan-town-hall.htm> [10/21/2013 9:21:42 PM]

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USWGO Hybrid Site that has a mix Alternative news/media, A political action area, a community forum, and more in the future that is  
Bilderbergs, Rockefellers, Skulls and Bones, Rothschilds, Rockefellers, and mo

### Site Info

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Oct 21, 2013

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Links in:  
**136**

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<http://uswgo.com/nc-senator-phil-berger-receives-the-nullify-ndaa-petition-at-the-mayodan-town-hall.htm> [10/21/2013 9:21:42 PM]

# **EXHIBIT 47**

**For Federal criminal case**

**-- BRIEF / MEMORANDUM IN SUPPORT OF  
BRIAN DAVID HILL'S "MOTION UNDER 28  
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SUPPORT OF THIS MOTION --**

**United States of America v. Brian David Hill  
(Brian D. Hill) (formerly USWGO Alternative  
News)**

**Criminal Case Number 1:13-cr-00435-1**

**U.S.W.G.O.**

**Subject:** Re: I stood up against the NDAA at my Mayodan town council and recorded it even gave the chief of police documentation on the NDAA.  
**From:** Brian Hill <admin@uswgo.com>  
**Date:** 4/11/2012 12:26 PM  
**To:** Darrin <darrin@infowars.com>

Thanks!

On Wed, Apr 11, 2012 at 11:43 AM, Darrin <[darrin@infowars.com](mailto:darrin@infowars.com)> wrote:  
Nice job!

----- Original Message -----

**From:** "Brian Hill" <[admin@uswgo.com](mailto:admin@uswgo.com)>  
**To:** "Declan O'Shea" <[declan@info-wars.org](mailto:declan@info-wars.org)>, "Activist Post" <[activistpost@gmail.com](mailto:activistpost@gmail.com)>, [kurt@infowars.com](mailto:kurt@infowars.com), "kurt web" <[kurt\\_web@infowars.com](mailto:kurt_web@infowars.com)>, [aaron@infowars.com](mailto:aaron@infowars.com), "watson web" <[watson\\_web@infowars.com](mailto:watson_web@infowars.com)>, [watson@infowars.com](mailto:watson@infowars.com), [watson@prisonplanet.com](mailto:watson@prisonplanet.com), [darrin@infowars.com](mailto:darrin@infowars.com), [producer@infowars.com](mailto:producer@infowars.com)

**Sent:** Tuesday, April 10, 2012 8:15:16 PM

**Subject:** I stood up against the NDAA at my Mayodan town council and recorded it even gave the chief of police documentation on the NDAA.

<http://www.youtube.com/watch?v=rBtUUln4rRE>

In the video description you will find two links of documentation. First one is the documentation to the town and the other one is my speech preparation document. I gave the first document to the Mayodan Chief of Police Charles Caruso, Mayor Bud Cardwell, Town Clerk Melissa Hopper, Town attorney and state senator Philip E. Berger, and the five town council members. The documents are about the NDAA and in total was over 200 pages in total plus printer ink. I gave the police a legal reason not to obey unlawful orders especially ones of rendition and torture. My town has good police but now I give them legal reason to reject the NDAA that has turned America into a battlefield according to what Senator Lindsey Graham said in the Capitol Hill debate on the NDAA.

My speech is to set an example and get others to stand up as well. That is why I did it even in a small town. When I said the speech I was nervous and shaking a little bit but I kept fighting my fear and gave the speech to the town council and state senator. I am hoping the state senator will take action with my speech but even if he doesn't I am gaining more support for standing up against the NDAA or National Demon Authorization Act (lol) although the real law is not a laughing matter as torture is never acceptable and makes the police as bad as the terrorists that are funded by the global elite.

I hope you post this video! Usually I would attach a article to this email but some rather have just my video then a press release with it where I write about what I did. If you wish to write

an article about my speech I will answer any questions you need to ask me as I am up for interviews by reporters and talk radio show hosts.

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Brian D. Hill  
Admin, Founder, webmaster, and head reporter of USWGO Alternative News ([uswgo.com](http://uswgo.com))  
Reporter of [FederalJack.com](http://FederalJack.com) and [We Are Change](http://WeAreChange.org)  
[admin@uswgo.com](mailto:admin@uswgo.com)

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Brian D. Hill  
Admin, Founder, webmaster, and head reporter of USWGO Alternative News ([uswgo.com](http://uswgo.com))  
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# **EXHIBIT 48**

**For Federal criminal case**

**-- BRIEF / MEMORANDUM IN SUPPORT OF  
BRIAN DAVID HILL'S "MOTION UNDER 28  
USC § 2255 TO VACATE, SET ASIDE, OR  
CORRECT SENTENCE BY A PERSON IN  
FEDERAL CUSTODY" - DECLARATION,  
ATTACHED EXHIBITS, AND BRIEF IN  
SUPPORT OF THIS MOTION --**

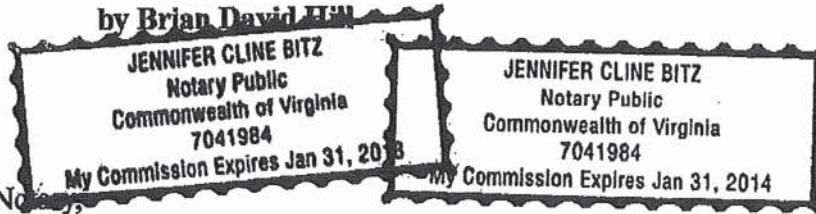
**United States of America v. Brian David Hill  
(Brian D. Hill) (formerly USWGO Alternative  
News)**

**Criminal Case Number 1:13-cr-00435-1**

**U.S.W.G.O.**

GENERAL AFFIDAVIT

Commonwealth of Virginia  
County-City of Martinsville



BEFORE ME, the undersigned Notary Public,

Jennifer Cline Bitz

*[name of Notary before whom*

*affidavit is sworn], on this 10<sup>th</sup> [day of month] day of November [month], 2015, personally appeared Brian David Hill [name of affiant], known to me to be a credible person and of lawful age, who being by me first duly sworn, on yes [his or her] oath, deposes and says:*

I am Brian David Hill, a natural born citizen of the United States. I am a citizen of Virginia at the time that my Affidavit was signed and sworn in as credible testimony. I have high functioning Autism Spectrum Disorder. I also have Obsessive Compulsive Disorder (OCD) and Generalized Anxiety Disorder. Because of my neurological disabilities, it limits my ability to live a normal life and makes it nearly impossible to hold down a career of employment. I cannot work so I live off of Social Security Disability payments.

I believe that I am Innocent of the charge/indictment of 18:2252A(a)(5)(B) and (b)(2) Possession of child pornography. It's because I am Innocent of the charge/indictment of 18:2252A(a)(5)(B) and (b)(2).

The reason I am Innocent is because I have noticed signs and evidence in 2012 that my computer had been hacked into by a computer hacker which I also believed may have used a PC Virus or Trojan Horse. I also believe that there may have been evidence tampering, planting, and/or contamination. I also believe and have evidence that I was framed with child pornography. I know I was framed since the Mayodan Police Raid on August 28, 2012.

I gave a false confession on August 29, 2012 to two police detectives at the Mayodan Police Department located at 101 North 3rd Ave., Mayodan, NC. I was threatened by Mayodan, NC Police Chief Charles J. Caruso to "Fess Up" and that if I did not fess up then my own mother would be held responsible for the criminal charge. I was also coerced on August 2012 into producing false confession statements. I told the Detectives that I did not download the child porn but they told me a claim that they believe they had found it on my computer and said I had better just tell them. Then I changed my statements to whatever they had wanted to hear. That was why I had suspected evidence tampering because they had admitted to have been on my computer to make such a claim to have found files on there. The police detectives are not SBI crime lab technicians and are not computer forensic scientists under strict LAB/ASCLD standards. They just accessed my computer to make such a claim of finding files. That was why I had attempted to suppress the evidence and that I believe I was framed with child porn. I believe that the evidence may have been tampered with because of such admission that the police accessed my computer without the

Page 2/2 - GENERAL AFFIDAVIT REGARDING INNOCENCE OF ACCUSED CRIME

state crime lab technicians.

The reason I had accepted responsibility falsely in my criminal case was because Judge Osteen had either hinted or threatened to take away my acceptance of responsibility which would threaten my prison sentence of Time already served which means that I would get out of jail to protect my health from further deteriorating due to my Type 1 brittle diabetes. The reason I had falsely plead guilty was due to multiple valid reasons and one was to get a prison sentence of Time Served so that I could get out of jail. My family told me to plead guilty in the court room due to ineffective assistance of counsel and bad legal advice to the best of my knowledge of what they had told me.

I am Innocent of the charge and am willing to prove Actual Innocence or let a Jury decide my fate in the worst case scenario. I am Innocent and am willing to prove my Innocence for the rest of my life.

The charge I am asserting my Innocence to is:

**U.S. District Court; North Carolina Middle District (NCMD)**  
**CRIMINAL CASE #: 1:13-cr-00435-WO-1**  
**United States of America v. Brian David Hill**

*[set forth affiant's statement of facts]*

*Brian D. Hill*  
\_\_\_\_\_  
*[signature of affiant]*

Brian David Hill

*[typed name of affiant]*

916 Chalmers St., Apt. D

*[address of affiant, line 1]*

Martinsville, VA 24112

*[address of affiant, line 2]*

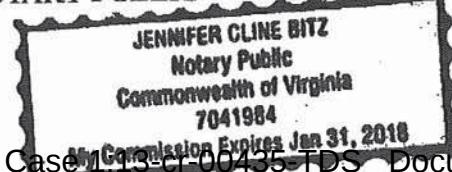
Subscribed and sworn to before me, this 8<sup>th</sup> *[day of month]* day of  
November *[month]*, 2015.

*[Notary Seal:]*  
*Jennifer Cline Bitz*  
\_\_\_\_\_  
*[signature of Notary]*

Jennifer Cline Bitz  
*[typed or printed name of Notary]*

NOTARY PUBLIC

My commission expires: 1/31, 20 18.



**Declaration of Innocence for The White House**

**Sunday, January 22, 2017 - 07:33 PM EST**

**Declaration authorized by Title 28 U.S.C. § 1746**

I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

1. Whereas, I am a Defendant in the United States District Court, for the Middle District of North Carolina, case # 1:13-cr-435-1, titled: United States of America v. Brian David Hill, and I am pushing for a Presidential Pardon on the basis of Innocence. I am not a licensed attorney, but I am slowly learning more about the Federal Rules and filing procedures as I feel I am not being represented by any of the Court Appointed lawyers in the past for trial Defense under the adversarial system, See U.S. Supreme Court Case Strickland v. Washington, 466 U.S. 668 (1984).
2. What I am saying in this Declaration to The White House, to Donald J. Trump, is the truth and nothing but the truth, so help me God. I, Brian David Hill, will briefly explain the facts that I am aware of in this Declaration, and swear that this is the truth. I will explain herein briefly as to why I am Innocent of the conviction.
3. I gave a false criminal confession at the Mayodan Police Department, in North Carolina, on August 29, 2012. I told the Police Detectives that I had put child porn on my Netbook, which is the "ASUS Netbook Computer Model Eee PC 100PPEB". Later on, around January 22, 2015, I got to finally review over the pages of my entire discovery packet of evidence for my criminal case. I noticed that there were no "files of interest" for both video and photo. So there was no child porn in my Netbook that I voluntary handed over to the Police Detectives on August 29, 2012. I told the Police that I had downloaded child porn for about "a year or so." The only download dates I had found in my criminal discovery were on eMule.exe's server.met where it downloaded between the dates July 20, 2012, and July 28, 2013. In July 2012, my Black Toshiba Laptop Computer was infected by some kind of malicious software program aka a computer virus. I was confused as to why child porn was downloading between those dates, because that very same Laptop was seized on August 28, 2012. I have a copy of both the Mayodan Police Report on myself, and the Police Inventory. It is impossible for child porn to download on a seized Laptop unless the police have lied in the report, or unless my Laptop was tampered with then evidence was planted on it. Even those explanations do not explain why my Laptop was infected in July 2012. I suspect that it was Win32/MoliVampire.A or Win32/MoliVampire.B, that was reported by ESET VirusRadar, which I had discovered between 2012 to 2013, before I was arrested on December 20, 2013, by Special Agent Brian Dexter of the U.S. Department of Homeland Security.

4. The whole forensic work done by North Carolina State Bureau of Investigation (SBI) Special Agent (S.A.) Rodney V. White, is questionable. There has never been any confirmed child pornography. It just simply says that they had found "files of interest" in different storage mediums, as so they had claimed. Then of course child porn had downloaded up until July 28, 2013, when that very Laptop was seized on August 28, 2012. I tried to bring up those dates in letters to law enforcement such as the SBI and another agency. Nobody is giving me any explanation as to why those download dates are in S.A. White's report. That is odd.
5. The Presentence Investigation (PSI) report even admitted that no supposed victims were even identified. I personally do not know who they are, I don't know their names, their ages. I don't even know what they look like. That is because I was framed with child porn. It stated, Citing Document #33, Filed 09/16/14, Page 6 of 26, "*According to the government, none of the children have been identified as part of a known series by the National Center for Missing and Exploited Children (NCMEC),*" and "*However, the victims in this case have not filed a claim for restitution.*" The only victims that I am personally aware of and have knowledge of, is Victim #1: The State of North Carolina for my political rantings on uswgo.com about the State and verbally criticizing a state politician. I don't even know if the supposed "files of interest" child porn claims are really even of children, there is no verification as to if they really are child porn or just files of interest to the Bureau.
6. My Black Toshiba Laptop Computer, Satellite C655D, Serial # 2C276987Q, had been infected in approximately sometime in July, 2012. It ran programs that I did not authorize, and it ran conime.exe, emule.exe, ares.exe, and shareaza.exe. The SBI report did mention that they found Ares searching up a keyword term called "very sexy". The SBI refused to investigate my seized Laptop for listing computer viruses and Trojan horses. I was involved in various political activities as apart of USWGO Alternative News from 2009 to 2012. I believe my political activities caused some repercussions, retaliation against me to shut me up by assassinating my character. I am Innocent, I believe I am actually Innocent because of the affirmative Defense of "Frame Up" I assert as to my actual innocence. I was framed with child porn, by an unknown assailant to assassinate my character.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 22, 2017.

Brian D. Hill  
Signed

**U.S.W.G.O.**

Brian D. Hill  
Signed

Signed

Brian David Hill(Pro Se)

Former news reporter & Founder of USWGO Alternative News

Home Phone #: (276) 790-3505

310 Forest Street, Apt. 2. Martinsville, VA 24112

**Declaration of Innocence for The White House**  
**Thursday, February 2, 2017 - 04:08 PM EST**

**Declaration authorized by Title 28 U.S.C. § 1746**

I, Brian David Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

1. Whereas, I am a Defendant in the United States District Court, for the Middle District of North Carolina, case # 1:13-cr-435-1, titled: United States of America v. Brian David Hill, and I am pushing for a Presidential Pardon on the basis of Innocence. I am not a licensed attorney, but I am slowly learning more about the Federal Rules and filing procedures as I feel I am not being represented by any of the Court Appointed lawyers in the past for trial Defense under the adversarial system, See U.S. Supreme Court Case Strickland v. Washington, 466 U.S. 668 (1984).

**CASE SUPPLEMENTAL REPORT**  
**NOT SUPERVISOR APPROVED**

Printed: 12/16/20

OCA: 201200287

Mayodan Police Department

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: **CLOSED/CLEARED**

Case Mng Status: **CLEARED BY ARREST BY**

Occured: 08/22/20

Offense: **SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR**

Investigator: **BRIM, C. T. (374)**

Date / Time: **08/29/2012 11:23:00, Wednesday**

Supervisor: **BRIM, C. T. (374)**

Supervisor Review Date / Time: **NOT REVIEWED**

Contact: **Hill, Brian David**

Reference: **Suspect Recorded Statement**

**413 North 2nd Avenue, Mayodan**  
**336-510-7972**

Interview of Brian David Hill

Page 1

[BH]

2. The above image in this Declaration is a true and correct but a cropped excerpt image of Page 15 of the Mayodan Police Report that I scanned in December, 2014. I had sent a request to the Mayodan Town Clerk for a copy of my police report since I have a right to discovery of evidence materials that were used against me in a Court of Law. However the Mayodan Police and the Town Clerk Melissa K. Hopper have refused to give me any access to or a copy to the “audio cd” of my false confession that was at the Mayodan Police Department, on August 29, 2012.

The Mayodan Police Department, where I gave my false confession, is located at 101 North 3rd Avenue, Mayodan NC 27027, and can be contacted by phone at 336-548-6038. The scanned pages were stored in my VentaFax Log Book.

3. As you may notice in the image excerpt of Page 15 in the Mayodan Police Report regarding myself, the Police Detective Christopher Todd Brim (Mayodan Police Detective Sergeant) logged my interview with police as to have started at the time 08/29/2012 11:23:00, Wednesday. Yes that is correct Mr. President, I was interviewed for apparently over an hour around lunch time. I had no diabetic blood glucose testing meter with me while I was being interrogated by the two police detectives. I had no diabetic insulin with me. I had no glucose tablets while at the Police Station. The Police knew that I was Type 1 Diabetic because they were accusing me of having illegal drug syringes which of course is not true. I told them that those are insulin shot needles/syringes because I am a diabetic. My family informed them that I was diabetic but they didn't care.
4. So I was questioned around lunch time to after 12:00AM which of course that time was heading into the afternoon. After I gave my false confession and told the police Detectives different things that weren't true, because I was afraid that my own mother would be held responsible, as per Police Charles J. Caruso's threat that my mother would be held responsible if I didn't "fess up". My mother is my legal/biological parent and my caretaker as reported in the U.S. District Court for Colorado in regards to Righthaven v. Brian D. Hill (2011 Federal case). Without my mother taking care of my diabetic low blood sugars, I am at major risk of death, seizure, or coma. After I gave my false confession, me and my mother ate at Arby's and I was manipulated into thinking that I was guilty when in fact I wasn't.
5. A diabetic expert I spoke to at Carilion Franklin Memorial Hospital in Rocky Mount, VA, thought that by being questioned around lunch time, that my blood sugar can run low by being worn down by the Detectives' questioning. So it is a form of coercion to force a Type 1 brittle diabetic to being questioned around lunch time for over an hour, being coerced to falsely admit guilt, knowing that my blood sugar can run low during the questioning, that I can fall unconscious. The Police knowingly violated my rights under the Americans with Disabilities Act (ADA).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 2, 2017.

Brian D. Hill  
Signed

**U.S.W.G.O.**

Brian D. Hill  
Signed

Signed

Brian David Hill(Pro Se)

Former news reporter & Founder of USWGO Alternative News  
Home Phone #: (276) 790-3505  
310 Forest Street, Apt. 2. Martinsville, VA 24112

# **EXHIBIT 49**

**For Federal criminal case**

**-- BRIEF / MEMORANDUM IN SUPPORT OF  
BRIAN DAVID HILL'S "MOTION UNDER 28  
USC § 2255 TO VACATE, SET ASIDE, OR  
CORRECT SENTENCE BY A PERSON IN  
FEDERAL CUSTODY" - DECLARATION,  
ATTACHED EXHIBITS, AND BRIEF IN  
SUPPORT OF THIS MOTION --**

**United States of America v. Brian David Hill  
(Brian D. Hill) (formerly USWGO Alternative  
News)**

**Criminal Case Number 1:13-cr-00435-1**

**U.S.W.G.O.**

*Notice of sealed Exhibit attached*

**In the United States District Court  
For the Middle District of North Carolina  
Winston-Salem Division**

## NOTICE OF SEALED EXHIBIT

**DEFENDANT REQUESTS EXHIBIT 49 BE FILED UNDER SEAL**

Exhibit 49 in support of "BRIEF / MEMORANDUM IN SUPPORT OF BRIAN DAVID HILL'S "MOTION UNDER 28 USC § 2255 TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY" - DECLARATION, ATTACHED EXHIBITS, AND BRIEF IN SUPPORT OF THIS MOTION" is filed under SEAL in compliance with the Federal Rule of Civil Procedure 5.2 and Federal Rule of Criminal Procedure 49.1. The home address of such witnesses cannot be redacted with the Court since the Habeas Court will need such information after approval of proposed subpoenas by Defendant Brian David Hill of this case. The subpoenas may contain the personal identified of the home addresses of the witnesses which need not be filed on public record, in compliance with the redaction rules or that the information may be filed not under redaction when filed under SEAL.

This the 8th day of November, 2017

Date of signing:

November 8, 2017

Respectfully submitted,

Brian D. Hill  
Signed

Signed

Brian D. Hill (Pro Se)  
310 Forest Street, Apartment 2  
Martinsville, VA 24112  
Phone #: (276) 790-3505

**U.S.W.G.O.**

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America )  
v. )  
Brian David Hill ) Case No. 1:13-cr-435-1  
\_\_\_\_\_  
Defendant )

**SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE**

To: Alexander Emerick Jones ("Alex Jones") of INFOWARS/INFOWARS.COM/Free Speech Systems, LLC  
Mailing Address: 3005 South Lamar Boulevard, Suite D109-317 Austin, Texas 78704-8864  
Registered Agent Name: Eric Taube  
Registered Office Street Address: 100 Congress Avenue, 18th Floor, Autsin, Texas 78701

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance:	Courtroom No.:
	Date and Time:

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

(*SEAL*)

Date: \_\_\_\_\_

*CLERK OF COURT*

*Signature of Clerk or Deputy Clerk*

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) Brian D. Hill (Pro Se)  
Defendant in this criminal case \_\_\_\_\_, who requests this subpoena, are:

310 Forest Street, Apartment 2  
Martinsville, VA 24112  
Phone number: (276) 790-3505  
No Email (N/A)

Case No. 1:13-cr-435-1

**PROOF OF SERVICE**

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_ *Server's signature*

*Printed name and title*

*Server's address*

Additional information regarding attempted service, etc:

**UNITED STATES DISTRICT COURT**  
 for the  
 Middle District of North Carolina

United States of America	)	
v.	)	
Brian David Hill	)	Case No. 1:13-cr-435-1
<hr style="border: 0.5px solid black; margin: 5px 0;"/>		
Defendant	)	

**SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE**

To: Darrin McBreen of INFOWARS/INFOWARS.COM/Free Speech Systems, LLC  
 Mailing Address: 3005 South Lamar Boulevard, Suite D109-317 Austin, Texas 78704-8864  
 Registered Agent Name: Eric Taube  
 Registered Office Street Address: 100 Congress Avenue, 18th Floor, Autsin, Texas 78701  
 Personal Address: 3002 Ellon Road, Del Valle, Texas 78617

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance:	Courtroom No.:
	Date and Time:

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

(*SEAL*)

Date: \_\_\_\_\_

*CLERK OF COURT*

*Signature of Clerk or Deputy Clerk*

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_ Brian D. Hill (Pro Se)  
 Defendant in this criminal case \_\_\_\_\_, who requests this subpoena, are:

310 Forest Street, Apartment 2  
 Martinsville, VA 24112  
 Phone number: (276) 790-3505  
 No Email (N/A)

Case No. 1:13-cr-435-1

**PROOF OF SERVICE**

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

on *(date)* \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

*Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America )  
v. )  
Brian David Hill ) Case No. 1:13-cr-435-1  
\_\_\_\_\_  
Defendant )

**SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE**

To: Aaron Dykes and Melissa Dykes (Melissa Melton) of Truthstream Media, formerly of INFOWARS.COM  
Possible Address 1: 117 N Heritage Oaks Dr, Texas City, TX  
Possible Address 2: 4330 McDermed Dr, Houston, TX  
Possible Address 3: 2508 Airline Dr, Brenham, TX  
Post Office Box: P.O. Box 1140, Hutto, Texas 78634

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance:	Courtroom No.:
	Date and Time:

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

(SEAL)

Date: \_\_\_\_\_

*CLERK OF COURT*

*Signature of Clerk or Deputy Clerk*

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) Brian D. Hill (Pro Se)  
Defendant in this criminal case                   , who requests this subpoena, are:

310 Forest Street, Apartment 2  
Martinsville, VA 24112  
Phone number: (276) 790-3505  
No Email (N/A)

Case No. 1:13-cr-435-1

**PROOF OF SERVICE**

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_  
on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America )  
v. )  
Brian David Hill ) Case No. 1:13-cr-435-1  
\_\_\_\_\_  
Defendant )

**SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE**

To: Stewart Rhodes of Oath Keepers  
Address: 432 E. Idaho Street, Suite 231, Kalispell, Montana  
Phone: (406) 882-9010  
Email: rhodeslegalwriting@gmail.com

**YOU ARE COMMANDED** to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance:	Courtroom No.:
	Date and Time:

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

(SEAL)

Date: \_\_\_\_\_

*CLERK OF COURT*

*Signature of Clerk or Deputy Clerk*

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) Brian D. Hill (Pro Se)  
Defendant in this criminal case \_\_\_\_\_, who requests this subpoena, are:

310 Forest Street, Apartment 2  
Martinsville, VA 24112  
Phone number: (276) 790-3505  
No Email (N/A)

Case No. 1:13-cr-435-1

**PROOF OF SERVICE**

This subpoena for (*name of individual and title, if any*) \_\_\_\_\_  
was received by me on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_  
on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

# **EXHIBIT 50**

**For Federal criminal case**

**-- BRIEF / MEMORANDUM IN SUPPORT OF  
BRIAN DAVID HILL'S "MOTION UNDER 28  
USC § 2255 TO VACATE, SET ASIDE, OR  
CORRECT SENTENCE BY A PERSON IN  
FEDERAL CUSTODY" - DECLARATION,  
ATTACHED EXHIBITS, AND BRIEF IN  
SUPPORT OF THIS MOTION --**

**United States of America v. Brian David Hill  
(Brian D. Hill) (formerly USWGO Alternative  
News)**

**Criminal Case Number 1:13-cr-00435-1**

**U.S.W.G.O.**

**(Notarized) Declaration of witness Stella Burnette Forinash in support of "BRIEF / MEMORANDUM IN SUPPORT OF BRIAN DAVID HILL'S "MOTION UNDER 28 USC § 2255 TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY""", for withdrawing guilty plea, or any other purpose**

**I, Stella Burnette Forinash, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:**

To Whom This May Concern:

I am Brian David Hill's maternal grandmother (Stella Burnette Forinash), and since I have been a witness from the start of Brian's life and for many events in his life, I wanted to come forth as a major witness on his behalf with PROOF (Brian will put this proof in his 2255) of how I know for a fact that Brian is innocent of knowingly downloading child porn or items of interest on his computer in 2012 or at any other time. "Proof we have that Brian is INNOCENT and Ineffective Court appointed attorneys".

I am the mother of two daughters and the grandmother of three grandsons, have a college degree from Greensboro, NC in 1994 and attended college in Florida for two years. Owned my own rest home with my husband in North Carolina from 1982-1984. Worked with the residents, attended special classes, and one was about the legal rights of the handicapped. Volunteered time while living in Florida in the 1980s with Extended Family (daycare for the elderly and disabled) while working on my social service degree and as a counselor at a high school. Later worked as an assistant manager at 2 condominiums along the beach. Was at the hospital when Brian was born 2 months early (premature) in Orlando, FL in May, 1990.

Moved back to NC in 1991 and was at the hospital in Greensboro, NC in 1992 when Brian was diagnosed with type 1 insulin dependent diabetes. Was with Brian & his mom when Brian had his first seizure in 1992. Was with Brian and his mom when Brian was tested by a staff of various doctors in Guilford County, NC in 1992, and it was discovered that Brian had PDD (a type of autism and developmental disorder) and his hearing was good. I was shocked at that because when we talked to Brian, he did not hear us, so we thought he was deaf. I was not there when TEACHH diagnosed Brian with autism in 1994. His mom and pre-school teacher, Ms Sheila were there, but I read the medical report.

I worked with Brian in 1997 as a paid employee through the Rockingham County, NC CAP program (Community Alternative Program to be able to continue to live at home and not be put in an institution), worked under a psychologist from Greensboro, NC. I read Brian's articles when he started the webpage "USWGO" in 2009 when he was 18 years old, watched his videos and many times we took Brian and were there during his interviews.

I was shocked when Brian was attacked by Righthaven in 2011. He called me and told me that some news reporter (Steve Green of the Las Vegas Sun) sent him an email about a copyright law suit against Brian Hill of USWGO in the federal courts in Colorado and asked for an interview. I told Brian this could not be real, but I was wrong about this. This company was going out for alternative news people, and it was "political" in nature. Brian & his mom called the company (Righthaven) to explain that Brian had disabilities and couldn't afford the thousands of dollars they wanted paid to stop the lawsuit. They were talking about taking \$50.00 a month from his SSI check. It soon became public knowledge that the person in charge of USWGO was a disabled young man from Mayodan, NC who had mild autism and brittle diabetes. Righthaven had been collecting a lot of money from various organizations and had filed 274 lawsuits in Nevada, Colorado and South Carolina since March, 2010.

We found out that the head person behind these lawsuits was Attorney Steve Gibson. Then we found out that Steve Gibson had worked with the Chicago Law firm Sidley Austin LLP. Two other well known people also worked for this law firm: (President) Barack Obama and Michele Obama. Steve Gibson and Michele Obama specialized in "intellectual property" law for the firm.

Brian shut down his website, and Reporters without Borders got involved and wrote a letter to Dean Singleton of the *Denver Post* Media Matters to "stop the lawsuit of \$150,000 against twenty year old, chronically ill blogger Brian Hill". Reporters Without Borders also wrote "Hill's decision to close his site "constitutes a very bad precedent for freedom of the press in the U.S." The group added it was "surprised to witness such behavior" in the U.S. "This is generally a phenomenon Reporters Without Borders witnesses in authoritarian regimes to silence netizens and intimidate journalists, bloggers and others," the letter says. To prove this to be true, go to Google and type in "Righthaven, Reporters without Borders and Brian Hill". (See Federal Court documents Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 22 & 23 of 75).

This story ends with an attorney stepping forth to represent Brian and "freedom of speech": Fort Collins, Colo., attorneys David Kerr and Luke Santangelo of Santangelo Law Offices. Many news stories about this case say: "After Hill's disabilities became known, the Post and Righthaven suffered a series of public relations debacles including national news coverage of the suit, the international press freedom group Reporters Without Borders calling on the Post to drop the suit and the judge handling the case criticizing Righthaven's business model involving no-warning lawsuits and what critics call litigation tactics aimed at coercing defendants into settling". This is what many news stories say about Brian David Hill of USWGO: "Righthaven's biggest PR debacle was its lawsuit against Brian Hill, who turned out to be a 20-year-old blogger in North Carolina with a mild form of autism, diabetes and hyperactive disorder". <http://www.ocregister.com/2015/03/12/at-chapman-forum-righthaven-copyright-outfit-still-controversial-five-years-later/>. Brian was interviewed by the New York Times on May 2, 2011 ("Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 24 of 75) Enforcing Copyrights Online for a Profit", was interviewed by many other Newspapers and by two TV news stations in North Carolina and many alternative news websites worldwide. We sent the photo of Brian from the New York Times to Brian while in jail, and he filed this for his case in the federal court in September, 2014 since the court is supposed to find out more about who "Brian Hill" really is. This is 2 big political attacks on Brian David Hill (USWGO): one was a federal copyright lawsuit in 2011 and the other one was a federal criminal case based on a false confession in 2012. Brian David Hill is a disabled (as the Mayodan police report said) American citizen who started the USWGO Alternative News Site, writing political news articles on his site as well as other Alternative News sites and interviewing many people to put on his USWGO YouTube Internet page who was a victim of a copyright federal law suit in 2011 to stop his "freedom of speech" and to stop his writing political news articles and after attending town hall meetings in Mayodan, NC talking about "Agenda 21 and NDAA and getting a petition "Nullify-NDAA" signed by NC citizens and writing articles about Mayodan, NC was set up with child porn on his USWGO laptop computer in 2012 to stop his "freedom of speech" as well as his writing articles. The 2011 attempt failed. We're still fighting the 2012 attempt to prove that Brian is innocent.

<http://www.nytimes.com/2011/05/03/business/media/03righthaven.html>

Just as I have been a witness of Brian's entire life, I was also a witness of the injustice in the town of Mayodan, NC police department and the middle district of NC. My husband and I attended the town hall meetings in Mayodan, Rockingham County, NC with Brian and his mom in March, April and May, 2012. (Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 28-42 and 44-50 of 75). We were impressed that someone with all the health problems Brian has had his entire life would be so

interested in laws, the constitution and justice in our country at such a young age, and we proudly took many photos and videos. Then we watched Brian get upset with the authorities in his small town. We tried to talk him out of going to the July 9, 2012 town hall meeting, but he was determined to go and ask the pro tem senator, Phil Berger Sr. a question about the Nullify NDAA petition he gave him in May, 2012 to share his answer on his USWGO web page and on his YouTube video with those who had signed the petition and others who were interested. He recorded this on video to share. You can see in the video that this is directly after the public town hall meeting and the Rockingham Update reporter is still there packing up his equipment. The Mayodan chief of police, Charles Caruso goes straight up to Brian, grabs him by the arm and removes him from the public town hall meeting. (See Federal court records: Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 42-44 of 75).

I told Judge Osteen on September 30, 2014 after the judge was bringing out the declaration from Attorney Sue Basko that Brian was innocent of knowingly downloading child porn. As Brian's witness, here's my proof: Brian is including the proof documents in his 2255.

1. Brian's mom, grandpa and I attended the Mayodan, NC town hall meeting with Brian on **March 12, 2012** (Brian's family took photos of Brian with Senator Phil Berger Sr. after this meeting).; **April 9, 2012 and on May 14, 2012** where we watched Brian give the Nullify-NDAA petition to NC pro-tem senator, Phil Berger, Sr at the public Mayodan town council meeting. We took photos of Brian at all three meetings. I saw Brian's USWGO YouTube videos about these meetings on March 12, 2012; April 9, 2012 and May 14, 2012. I also saw the videos that the Rockingham Update put on his YouTube channel on March 12, 2012 and on April 9, 2012 which is more proof that Brian was attending town council meetings and speaking at the meetings. I read the articles Brian was writing on his USWGO web page: **April 23, 2012** "USWGO Founder (Brian D. Hill) Begs Rockingham County Sheriff to not enforce NDAA 2012. **May, 2012** "NC Senator Phil Berger receives the Nullify-NDAA Petition at the Mayodan Town Hall". **June 8, 2012** "NC Senator Phil Berger refuses to take action on Nullify-NDAA, betrays his Constituents!" See Case 1:13-cr-00435-WO Document 37.
2. I saw the email Brian had received from the **Mayodan town manager**, Michael M. Brandt on **March 2, 2012** where he is talking about Agenda 21. I saw the email Brian sent from his USWGO (admin@uswgo.com) email account to Lessa Hopper and Michael Brandt in **Mayodan, NC** on **March 12, 2012** about "Copy of Documentation that will be sent to the town council". I saw the email Brian sent from his USWGO email to Brad Corcoran, City Manager, **Eden, NC** on **May 23, 2012** with the subject "Petition for Eden, NC, Nullify-NDAA Petitioning process. I saw the email Brian sent to City Clerk, Angela G. Stadler, CMC, **Reidsville NC** City Admin. On **May 23, 2012** about the Nullify-NDAA petition which exercises rights under the NC Constitution Act 1 Section 12.
3. In **July, 2012** there was a lot of activity as Brian started to realize that Phil Berger Sr. was not going to do anything about his nullify-NDAA Petition. He felt like since Berger was voted in as an NC state senator, he owed it to the people in his district to let them know that he didn't care enough to let the people know what he would do to help the residences of the state. I read some of his articles on his USWGO page. He wrote on **July 8, 2012** "Mayodan Town Council refuses town resolution to Nullify NDAA". Brian was the only one in his family who attended the July Mayodan, NC town hall meeting on **July 9, 2012**. Even though I wasn't there, I got to see the video from Rockingham Update You Tube page. This video is almost one hour long. Brian is speaking toward the beginning of the video, then he is sitting on the front row and sitting in the next row behind him and watching him the entire hour is the Mayodan police chief, Charles Caruso. Immediately after the meeting Brian walked up to Senator Phil Berger (who is also the Mayodan town attorney) with his video on and holding the microphone and asked him about the Nullify-NDAA petition. Berger looked at Brian and told him that he was not going to answer that question, and right away the police chief, Caruso is grabbing Brian's arm and leading him out of the public town hall meeting. You can see the Rockingham Update reporter is still there packing up his equipment. Brian put this 28 second video on his YouTube page titled "Reporter forced back by Mayodan Police for asking Senator Phil Berger a question" on **July 10, 2012**. By August 29, 2012 there were many comments, 1,458 views, 31 likes and 1 who didn't like it. I read Brian's article on his

USWGO Alternative News web page on **July 10, 2012** called "Reporter intimidated and booted from town council meeting when asking a question". See Case 1:13-cr-00435-WO Document 37.

4. Brian called me upset on **July 12, 2012** and told me the same thing that is in this article that I read on the Alex Jones' Prison Planet page dated July 12, 2012 titled "The Police are harassing my mom now" on July 12, 2012 at 07:57:02 PM (read 2745 times). Brian is saying that his mom was walking to the Dollar General Store when the police in a van drove up to her and told her that a girl was walking down the sidewalk and asked if she had seen her, and she said, "No". Brian wrote that he needed to get on the Alex Jones show even for just a 15 minute segment. Because of telling people what the chief of police did to me, my mom is now being harassed by the police. They asked Brian's mom if she lived on this street. She told them that we live in the stone house down the road. Then Brian asks "How can the police harass us over asking State Senator Phil Berger a question. Brian said that he needed to get on the Alex Jones show or else he may end up in prison, and my life is already hell. "I can't even walk downtown anymore or drive down to Madison because of the police watching us and looking for one little excuse to arrest my mom and have me under receivership even though I am 22 years old but I am disabled and need someone to watch my blood sugar levels. Then Brian puts a link to his USWGO page about how he as a reporter was booted from the town council meeting. Brian said that they drove up to her knowing who she was and that he had written his address to the town council several times and the chief of police has his home address in his NDAA documentation. "The cops are purely harassing us now and trying to get me incarcerated". "The police are harassing me so I am now in danger, Danger Will Robinson type danger!!!". "The request that is being made is for Brian D. Hill, USWGO Alternative News, admin AT uswgo.com to be a guest on the Alex Jones show to talk about state corruption and all the evidence and documentation that I have on Phil Berger and the town council police now harassing my mom and was intimidating me at the town office close to the town council chamber. We need to shine the light on these people". For proof, see document 45: Case 1:13-cr-00435-WO Document 45 Filed 09/26/14 Page 20 of 20. Also for timeline of events see Page 12 of 20. Brian and his mom had lived in this same house for over 7 years at this time, and this was the first time anything like that had happened. Apparently Brian was given a vision about the future because 8 days after he wrote this, according to the Mayodan police department report and the NC SBI Discovery report, child porn (or items of interest) was being downloaded on Brian's computer 8 days later on **July 20, 2012**.
5. I was friends with Brian on his USWGO Facebook page, and on **July 14, 2012** at 4:16 PM Brian (USWGO) created an event. (NOW THIS IS 6 DAYS BEFORE CHILD PORN IS ON HIS COMPUTER according to Reidsville police, Bridge and the NC SBI Discovery report). The event is to confront Senator Phil Berger. This is what Brian wrote: USWGO Brian Hill: "This is his picture. Remember to confront him legally and lawfully. If you can't afford to go to Raleigh or Mayodan, then confront him anywhere close by to where you live. We need to give no excuses. The press needs to ask him hardball questions". Case 1:13-cr-00435-WO Document 32 Filed 09/15/14 Page 6-7 of 7.
6. In August, 2012, my husband and I went to Georgia and attended my youngest grandson's Army graduation ceremony. My husband and I visited Brian and his mom on August 28, 2012 and noticed that Brian was having a rough time on his computer, fighting some type of virus or hacker. We had been used to seeing Brian fighting these for about 3 years since he started his alternative news webpage, but this one seemed to be worse than any other. He refused to leave his computer that entire morning, just kept fighting this, and I was thinking that all of this time when we told him that he needed to keep an antivirus program on his computer, and he would tell us that this slowed down his computer; whatever he was fighting on his computer that day was a lot slower than any anti-virus would be. Then that afternoon, someone knocked on the door. We saw Mayodan chief of police, Charles Caruso handing my daughter a search warrant order and telling her they were looking for child porn on computers at this residence. My first thought was the video Brian put on his YouTube channel where this same chief of police was now at Brian's front door and that this is a set up. There was no way anyone from this house would be downloading child porn. Then this same chief of police stood on the front porch with us and kept telling Brian to fess up to downloading child porn. He said there were only two people who lived in this house, and one of them was downloading child porn, and he didn't think it was the mother. We (my husband, daughter and I wrote affidavits (signatures witnessed by a notary)

about this and sent these as an email attachment to Brian's court appointed attorney in December, 2013 and later sent these to Brian to file in the court in September, 2014). We all knew for a fact that Brian didn't like to be around children because they were too loud. If he was interested in little children, he would be walking up to them on our outings and vacations and taking photos of them. He never once did that. If a child or adult got in the way of his nature photos, he would get upset. He would go up to some adults here and there and do an interview with adults for his USWGO YouTube channel but never once wanted to be around children. On July 2, 2011 in Virginia Brian interviewed Jim Tucker in person. Jim Tucker was an American journalist and author of "Jim Tucker's Bilderberg Diary". On March 8, 2012 Brian interviewed Dr. Michael Coffman on Skype about Agenda 21 in preparation for the March, 2012 Mayodan town hall meeting. Dr. Coffman was an author. On May 15, 2012 in Newbern, NC Brian interviewed Elton M. Crisman Jr in person. Mr. Crisman was an inventor who once worked for NASA and on the Stealth Aircraft used by our military today. On May 26, 2012 in Virginia, Brian interviewed Virgil Goode in person. Mr. Goode was running for president of the USA, candidate in the Constitution Party in 2012. On June 1 & June 2, 2012 Brian and his mom went to Chantilly, VA where Brian met in person Alex Jones (Radio talk show host), Stewart Rhodes (Founder and National President of the "Oathkeepers") and others in the alternative news network and put some videos on Brian's USWGO YouTube page. On July 4, 2012, Brian did his 2<sup>nd</sup> interview in Brookneal, VA in person with Patrick Henry Jolly, 5<sup>th</sup> great grandson of Patrick Henry. Mr. Jolly does the "Give me Liberty or Give me Death Speech at the last home of his 5<sup>th</sup> great grandfather, Patrick Henry at Red Hill. Many more interviews Brian has given can be seen on his USWGO YouTube page. None with children. All with adults. See these court documents as proof of Affidavits from Brian's mom and 2 grandparents: **Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 51-54 & 73 of 75. Case 1:13-cr-00435-WO Document 45 Filed 09/26/14 Pages 3-4 of 20.**

7. During the police raid, the police made all of us stand out on the front porch for hours. We were not allowed in the house. One time they called Brian and his mom in the house, then they called Brian in the house by himself. We heard his mom tell the police that Brian has autism and brittle diabetes. The policeman who stood on the porch with us the entire time was very nice, and he called in to the 2 police detectives in the house that Brian had autism and brittle diabetes. They still kept calling Brian in the house by himself, ignoring this. Brian would come back and tell us what they said. One time they thought he had a bomb in his house. Another time they called him in to ask him about a needle and some printer ink needles. He explained that he had brittle diabetes, and these were his insulin needles (syringes). He told them the printer needles were ink refills for his printer. We have recorded as much of this as we could remember in our "Affidavits" that were submitted to the court in September, 2014. We gave these affidavits and other items of proof of Brian's innocence to Brian's court appointed attorney in December, 2013 in an email, but we noticed that in June, 2014 that he didn't have anything to offer the court in Brian's defense, and Brian continued to fight this case to prove that he was innocent of knowingly downloading child porn.
8. We watched in shock as these police removed many items from the house and put in their vehicles. It felt like someone was robbing my daughter and grandson. If this happens, you call the police, but this was the police. They were removing all of their memories, all of their vacation photos and family photos and videos which are recorded in computers and hard drives, memory sticks, homemade CD's and homemade DVD's. My daughter is an author of books and writes poems. My grandson had written many articles for his USWGO page and for other web pages, had interviewed famous people. Police took all of this on that day. They took personal things that can never be replaced. They were not illegal items. They took phones and their internet router so they couldn't call anyone. They left behind a mess with computer parts strung all around. They took the hard drives out of their desktop computers. We had to go home to our house in Virginia that evening, and all of us were in shock. The police asked Brian's mom, Roberta to come to the police station the next day and pick up a list of the inventory items removed from their house. We waited for them to come to our house the next day in Virginia and were worried because there was no way we could get in touch with them. They had no phone or internet service or computers to get on the internet. We finally went to Mayodan at lunch time and on to the police station on August 29. They were still there. We were there after the police came back to the house to pick up Brian's netbook. The two detectives were very happy that day. My daughter and grandson had to get something to eat, then they would come to our house later.

9. Later that afternoon they came to our house, and my daughter told us that Brian had confessed to downloading child porn. Brian kept saying he needed help. We were confused because Brian was smart, truthful to a fault, not interested in children and told the police that he liked to go to Walmart to notice children. That was not true. From the time he was a baby, going to Walmart was hard. Other children and people with autism have the same problem because Walmart is so large, many people and noises. When we go shopping with Brian and his mom in Walmart, they go right straight to what they plan on buying and get out as quick as possible, no way would Brian be going to Walmart to watch children. Experience has taught us that this is not a true statement. Brian saying he liked children was not a true statement either. Brian did like to look at young women about his age and would talk about them being pretty, but never once did I hear him say that any child was pretty. They were loud and would walk in front of you. See federal court document Case 1:13-cr-00435-WO Document 38 Filed 09/22/14 Page 1-8 of 8.

10. Brian was talking about suicide and that he needed help. He said the police said they were going to give him the help he needed, but he didn't want to wait on the police, he wanted to go to the hospital now to get help. His grandpa, mom and I drove him to the hospital in Winston Salem, NC because when he first started kindergarten, he had to go to Amos Cottage Hospital and was a patient there for a month. Amos Cottage is now called Brenner Children's Hospital and is a part of this main hospital. His autism and brittle diabetes were so serious that he could not go to public school without being evaluated by this hospital, and for the remaining time that he was in the public school system; he had a one on one assistant paid for by the Rockingham County, NC cap program (Community alternatives program for the disabled). Brian had also been an outpatient there for many years in the diabetic department of the hospital. Brian was not admitted into the hospital and came back home with us to Martinsville, VA. More about how people with autism who are innocent but can plead guilty as a result of this disability: Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 13-22 of 75. It's important for me to clarify something I know to be truth and will testify under oath of perjury that the Mayodan police put on their records about Brian's case is a false statement by the police department. This is the statement:

Investigator: BRIM, C. T. (374)

Date / Time: 08/31/2012 12:00:00, Friday

Supervisor: BRIM, C. T. (374)

Supervisor Review Date / Time: NOT REVIEWED

Contact: Hill, Roberta Ruth

Reference: Investigative Progress

413 North 2nd Avenue, Mayodan  
336-510-7972

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On Friday, August 31, 2012 at 1200 hours, Roberta and Brian Hill came to department to get their copy of the Inventory of Seized Items form. Both parties signed the document and I gave them a copy for their records.

Ms. Hill said that she was carrying Brian to Bowman Gray Psychiatry and Behavioral Center at Wake Forest University. She said that she wanted to get Brian evaluated and seek counseling for his problem.

. THE TRUTH IS THAT THE POLICE DID NOT GIVE ANYTHING TO BRIAN ON AUGUST 31, 2012 BECAUSE BRIAN WAS IN MARTINSVILLE, VA ON THAT DAY WITH HIS GRANDPA. I (BRIAN'S GRANDMOTHER) was with my daughter, Roberta Hill on that day and went to the Mayodan, NC police station with her and talked first to one detective who was not part of the Brian Hill case, then we talked to Detective Brim about Brian's case in the main part of the police station. He did not invite us into a private office. Brian has OCD and after the police raid on August 28, 2012, he did not sleep that night he told us, and the next day he went to the police station with his mom to pick up the inventory but instead both were questioned by the police. My husband and I went to Mayodan at lunch time on Aug. 29, 2012 and were there right after the police picked up Brian's netbook computer at his house. Brian and his mom ate lunch because Brian's blood glucose was low. They came to our house in Martinsville, VA that afternoon, and Brian refused to ever go back to Mayodan or to his house after that. He had lived in this same house for over 7 years. Most of the time his mom went alone, and

sometimes I would go with her. On this day, I was with my daughter at the police station – **not Brian**. The part about my daughter telling the police that she was taking Brian to the hospital was true, and we did take him to the hospital. (This part has 4 witnesses: Brian Hill, Roberta Hill, Ken & Stella Forinash).

11. He refused to ever go back to Mayodan or back to his house again. He had lived in this same house for over 7 years and loved Mayodan until the day of the police raid. We told Brian that he needs to close his USWGO alternative news page and take down the video with the Mayodan police chief. He took down his page and put the video on private. His mom had to go by herself to clean the house, pack, had a yard sale and gave away furniture that she could not sell. Sometimes I went with her. After two weeks, Brian realized that he had been made to believe that he was into child porn and needed help by 2 police detectives, but he does not like children, had never seen child porn and was not addicted to child porn as they had him believing. His OCD had gotten worse after the police raid and after he had been staying in our extra bedroom for two weeks and was spending hours washing his hands at our kitchen sink, I made him go downstairs to the one bedroom basement apartment, so now Brian had his own apartment, and his mom was able to move into the one bedroom apartment upstairs where she had been staying. My husband and I bought a small 4 apartment house in 2007 for our families to visit and stay if anyone ever needed a home for awhile. My brother had lived in one of the apartments for two years and had now moved to Danville, VA. At the time of the police raid Brian and his mom had been living on his one SSI disability check of about \$700.00 for the entire month, and his mom was unable to work because her son required 24 hour a day medical care, so now that they were living in 2 separate apartments, she went to social services and applied for Medicaid insurance and the disabled waiver for Brian where he would get 40 hours a week of paid assistance and with his grandparents being right here, we could help and assist Brian too. His mom could get a job and have more money coming in to the family budget. He was approved right away, and his mom was offered the job since she was a certified nurse's aide in NC and had all the experience for over 20 years working with Brian. We contacted many attorneys and were told that this type of criminal case would cost up to \$300,000 with no guarantees, and not one attorney would take this case as a pro bono, so we knew that we could not afford this, and if Brian was ever arrested, he would have to rely on a court appointed attorney.

12. Life was good for awhile. We took many vacations during 2013, and Brian was able to take many more vacation photos and videos. In April 2013 Brian came running upstairs and told us that he had gotten a threat email. Since Brian had been doing alternative news in 2009 we were used to Brian being threatened, attacks on his website, hacker attacks, etc., so we didn't think much about these threats until December, 2013 when Brian was in the hospital and gave us his email and facebook passwords so we could check them for him. I noticed that he had put these threat emails in a special folder. This was when I realized that these threat emails were serious and at this point most of them had come true. Later we found out everything in these threat emails had come true. I'm only aware of two threat emails in April, 2013, but there could be more. In Jan. 2015, Brian tried to do an appeal on his case after we saw the download dates of the child porn "Files of interest" from the NC SBI discovery papers. He was using my cell phone, and there were threat phone texts sent to him and an email sent to his friend and court witness, Attorney Sue Basko to have Brian to stop the appeal, or they will send more child porn to him to make sure that he goes to prison for life. The words used were so ugly that I refuse to repeat them. Threats also extended to Sue, to his family and to his attorneys. Someone found out what my cell phone number was. Brian started receiving more text messages threatening him and his family with child porn on one text message. Brian notified the FBI and his probation officer. He gave my phone to her with my permission. We (Brian's mom and grandparents) also sent a copy of a couple of threat text messages Brian had received to his probation officer and attorney by email. We found out Sue Basko was also getting threat emails with child porn attachments. She did not open the attachments and notified the FBI, then sent copies of the threat part of the emails to us, and we sent these to Brian's probation officer and his attorney too. Back to the 2 threat emails Brian had received in April, 2013: See next page and also see federal court record: Case 1:13-cr-00435-WO

**Document 30 Filed 09/10/14 Page 2-3 of 5. Case 1:13-cr-00435-WO Document 36 Filed 09/18/14 Page 1-2 of 2. Case 1:13-cr-00435-WO Document 32 Filed 09/15/14 Page 2-3 of 7. Case 1:13-cr-00435-WO Document 34-1 Filed 09/18/14 Page 5 of 12. Case 1:13-**

It is dated Sunday, April 7, 2013 and is sent from a tormail email account. What it says is "You better watch out Brian. We are watching you. Having child porn planted on your hard drives and computer was only the beginning and we will set you up for violent sex crimes if you don't watch your back. Have fun becoming a sex offender. Police won't believe you no matter how much evidence you have that you been set up. We know some people in the SBI who will make sure you are convicted. You will be shut up by being a sex criminal. Your friends Alex Jones, Dan, James, Sean, Alex, and others are next. BeWear"! We checked his YouTube account to see if we could find out what this email was talking about, and we found one.

**April 6, 2013:** Brian did a YouTube video called "Emule virus type has infected people around the entire world including America". The video is very short (1 minute), and Brian wrote: "The emule virus has infected computers around the entire world and may only be one variant of all of the emule viruses that share and download illegal material along with computer viruses in order to set people up for criminal offenses. The emule virus can share any illegal material and can be modified by independent hackers to share and download illegal material. Whoever receives this virus may be arrested and charged with counts in computer crimes investigations".

- 13.
14. Brian received a 2nd threat email on April 20, 2013. This threat email said that Brian was going to regret being an investigative news reporter. They told Brian not to talk to any reporters about this child porn virus or "you gonna get it". They told Brian to watch his back. Case 1:13-cr-00435-WO Document 30 Filed 09/10/14 Page 2 of 5.
15. On July 3, 2013 Luke Rudkowski (We Are Change) received an email addressed to an old email he had years before (Not his We Are Change email). He had received this through a Yahoo email account which would let him preview what was in the email before downloading attachments. He saw it was child porn. Luke's name is not listed in Brian's threat email, but it does say "And others are next". I have seen videos on YouTube with both Brian's photo and Luke's photo from the Bilderberg meeting in Chantilly, VA in June, 2012. Both as alternative news people went to report the event and have videos to put on their websites. Luke was the one who started "We are Change", and Brian was writing some articles and put at the bottom of all of his USWGO emails "Reporter for We are Change North Carolina". This threat email Luke got was after he had attended the Bilderberg protest meeting in July, 2013. Luke called Attorney Sue Basko to ask what to do. She told him to report it to the FBI, etc. Like Brian, Luke received a threat email from this person threatening sending this to other alternative news people. Case 1:13-cr-00435-WO Document 29 Filed 09/09/14 Page 6 of 9.
16. On July 24, 2013 Brian's friend, Dan Johnson (PANDA – People Against the NDAA) received a strange email from Stewart Rhodes (Founder of the Oathkeepers). There were attachments, and Dan noticed that just like the threat email Luke had received, this too was a Tormail Email account, and he knew that Stewart Rhodes did not use a tormail account, so he

got in touch with Stewart and found out Stewart did not send this. Brian's threat emails were also from a fake name and Tormail email. Dan got in touch with Attorney Sue Basko and they reported this to the FBI. Brian met Stewart Rhodes and Alex Jones at the June Bilderberg meeting and had his photo taken with both of them. Found out later that other alternative news people were receiving threat emails and emails with child porn attachments (many kept it private). Sue helped them to report this to the FBI. Sue was also receiving these threat emails with child porn attachments. Brian was telling various town halls about the NDAA and had a petition signed to nullify the part of NDAA which was unconstitutional in 2012. Case 1:13-cr-00435-WO Document 44 Filed 09/26/14 Page 1-2 of 2.

17. Brian still wanted to get his computers back with his personal vacation photos, family and friends photos and all of his USWGO material, videos where he had interviewed many people for his USWGO YouTube web page, etc. He decided to hire a lawyer after a friend told him that would be the best way to go because it had been over a year, and he was not arrested. Brian's grandparents tried to talk him out of it, but he did it anyway. In November, 2013 Brian hired a law firm from Eden, NC for \$75.00 to write to the town of Mayodan police chief, Charles Caruso to make arrangements to pick up Brian's and his mom's computers and all items the Mayodan police department and one policeman from Reidsville, NC (all in Rockingham County, NC) took from his house on August 28, 2012 (net book computer on Aug. 29, 2012). This letter was written on November 8, 2013. See Federal court Case 1:13-cr-00435-WO Document 45 Filed 09/26/14 Page 10 of 20. FBI was not involved in the search. NC SBI were notified after the police raid. Then it became a federal case with the Department of Home Land Security being involved. A week after this letter was written, there was an article on the Internet on November 15, 2013: "Alternative Media Under Attack! Someone trying to Set-up Truthstream Media". This article is talking about the attempted set up of Melissa Melton and/or Aaron Dykes who worked for Alex Jones. Melissa brought it to the public's attention that there was also child porn set up attempts on Madison Ruppert, Adan Salazar, Alex Jones and other people at Infowars. Melissa wrote about the setup attempt on Luke Rudkowski ("We are Change") in July, 2013 and the fact that he received an email after this attempt from a hacker who bragged that they were going to do the same thing to other alternative media activist leaders. After Brian was arrested, we found similar threats in his email from April, 2013 bragging about setting Brian (USWGO) up with child porn on his computer and hard drives and threatening setting up others. Brian told us about these emails, but his family thought they were just empty threats at the time. We didn't realize they were real threats until after Brian was arrested in December, 2013. Melissa also wrote on her Facebook page that Dan Johnson & Stewart Rhodes worked together on the anti-NDAA nullification legislation. That was exactly what Brian was working on and talking to the Mayodan town council about in April, May and July, 2012. See Case 1:13-cr-00435-WO Document 45 Filed 09/26/14 Page 11 of 20. Brian had also gotten a petition about anti-NDAA with over 200 signatures from people in Rockingham County, NC and handed this petition to Phil Berger at the May 14, 2012 town hall meeting and was asking NC State Senator, Phil Berger about this petition on July 9, 2012 when the Mayodan police detective, Caruso grabbed Brian by the arm and removed him from the public town hall meeting (the video and article Brian put on his USWGO YouTube page and USWGO alternative news). See Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 33 of 75 and Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 39 of 75. Then according to the Mayodan police report, child porn was being downloaded on Brian's computer on July 20, 2012 and all computers were removed from Brian's house by the local Mayodan town hall police on August 28, 2012. Very soon after Brian hired an attorney in November 8, 2013, and this article about more child porn attempts

on Nov. 13, 2013. Attorney Brian hires writes to Brian on Nov. 19, 2013 that the Mayodan chief of police told the attorney that Brian was being indicted. There was an arrest warrant out for Brian on November 26, 2013, and according to Pacer records, there was an Indictment as to Brian David Hill, 1 count on November 25, 2013 and entered on Nov. 26, 2013. 1:13-cr-00435-UA. Mayodan police Brim calls on Dec. 9, 2013 & talks to Brian's grandpa to tell Brian to come to Mayodan to get his computers and other items on Dec. 13, 2013 at 10 AM. On Dec 10, 2013 Brian sent an email to Joy Strickland (NC SBI) that the Mayodan police were going to return his things to him. Case 1:13-cr-00435-WO Document 45 Filed 09/26/14 Page 13 of 20. Brian received an email on Dec. 12, 2013 from Attorney Sue Basko that she has discovered a warrant out for Brian's arrest on Pacer. Case 1:13-cr-00435-WO Document 46 Filed 09/30/14 Page 1-3 of 3. Brian sent an email to Joy Strickland on Dec 12, 2013 that the Mayodan police had lied to him. Brian was threatening suicide on that date; family visited Piedmont Community Services to see what to do and were advised to have Brian admitted to the hospital. Brian's grandpa called the Mayodan police Brim on Dec. 13 that Brian won't be able to pick up his stuff on that day as he was in the hospital, and Brim told Brian's grandpa that there was a warrant out for Brian's arrest, and Mayodan did not have Brian's stuff. See Case 1:13-cr-00435-WO Document 45 Filed 09/26/14 Page 3-4 of 20.

18. They (Dept of homeland security from NC) arrested Brian on a Friday afternoon (Dec 20, 2013) removing him from the hospital and taking him to a jail in Winston Salem, NC. The nurse gave the person who arrested Brian some insulin and a prescription for his other medicines. Brian's mom, aunt and grandparents went to the jail to visit him on Saturday but were not allowed to see him. We could not call him, and we found out he could not call us until we got an expensive service on our phone. I had typed up about Brian's brittle diabetes, autism, OCD with names and phone numbers of all of Brian's doctors and with proof of his disabilities and gave this to the receptionist at the Forsyth Jail in Winston Salem, NC to give to Brian's nurse at the jail. On Monday, Dec. 23rd there was a hearing. Brian whispered to us that he had not had any insulin since he was put in jail on Friday. The federal Marshall with him was rough on Brian, so I gave him a card about "Autism". He said he would give it to the jail and read it. This was 4 days that Brian had received no insulin even though the person who arrested him was given insulin for Brian by the nurse in the hospital. He called Brian's mom and let her talk to Brian and told her that the nurse gave him the insulin and prescriptions and said that he knew Brian had autism. Brian was extremely upset at that hearing and looked really bad. Question for a medical professional, what happens to a brittle diabetic who is given 3 – 4 regular insulin shots per day at each meal and an extra if his glucose is still up and 1 long acting insulin shot per day for years when he goes for 4 days or more with no insulin at all when he is arrested and extremely upset? He was appointed an attorney on that day. Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 53 of 75. Case 1:13-cr-00435-WO Document 38 Filed 09/22/14 Page 1-8 of 8. Case 1:13-cr-00435-WO Document 41 Filed 09/26/14 Page 1-2 of 2. Case 1:13-cr-00435-WO Document 42 Filed 09/26/14 Page 1-2 of 2. Case 1:13-cr-00435-WO Document 43 Filed 09/26/14 Page 1-2 of 2.

19. We emailed Brian's attorney and told him about Brian's brittle diabetes, autism, OCD and sent many documents as attachments to the email including notarized affidavits from Brian's mom and grandparents, and we asked his attorney what else he needed. We also faxed him a lot of information. Brian told him the documents he had at home that needed to be in the court records to prove his innocence. We went to another hearing, and after this hearing we asked Brian's court appointed attorney why he did not tell the judge about Brian's autism and brittle diabetes. Brian had been free from the day of his false confession on August 29, 2012 until

December, 2013, had never been in any trouble with the law before this or during the time he was free after his false confession; now with all of his severe disabilities he was in jail for one count of child porn, denied bond, and this attorney didn't do anything to either bring Brian back to his home or to a hospital. He was later given insulin after we told people on his facebook support group that his friends started what all was happening. Many people started calling the jails, and someone told us to fax proof of his diabetes and autism to the jail. We did that. A doctor from the jail called Brian's mom and asked her to make sure that they quit calling the jail. He said they were giving Brian 2 insulin shots a day. One regular insulin shot at breakfast and one regular insulin shot at dinner (No insulin shots for lunch and no long acting insulin shot at all). This was the way it was most of the time during Brian's 11 months in jail. They were constantly moving him from one jail to the next which would make his autism and OCD worse. When he was put in Butner Prison for a mental evaluation, he was sent there on Friday, and they let him call us on Monday, and we even talked to someone who worked there who explained that there were no papers being sent with Brian, so they didn't know that Brian had type 1 insulin dependent diabetes. He said that they can't take Brian's word, they had to have the medical documentation. Brian got real sick and almost died. That's when they found out Brian was telling them the truth, and they started him back on insulin.

20. I read articles in 2014 about the Rockingham County, NC elections (people related to Brian's case and sent some of these articles to Brian to submit to the court in September, 2014). We feel like some of these people could be connected to Brian's case in wanting to shut him up and prevent him from ever writing any more negative articles about them in the **USWGO Alternative news** and other news networks on the Internet. Here is an example of some of the articles I have read: The **Rockingham Update** had an article on **March 11, 2014** called "District Attorney Phil Berger Jr. Endorses Melanie Bridge for Rockingham County District Attorney". In the article Melanie Bridge is praising her boss saying they worked together for the past 7 years, and she had been the assistant district attorney since 2005. **Rockingham Update** article on **December 4, 2013** "Bridge Announces Candidacy for Rockingham County District Attorney". **News & Record** on **May 6, 2014** "Blitzer to Replace Berger Jr. as District Attorney in Rockingham County". Blitzer won with nearly 67 percent of the vote, according to complete but unofficial returns. His opponent, Melanie Bridge, had 34 percent of the vote. Bridge, Rockingham County chief assistant district, has been in the district attorney's office nearly nine years. Look on the Mayodan police report, and you see **Melanie Bridge's brother**, Robert Bridge who claims he found Brian's IP address and spots child porn on Brian's computer on Aug 22, 2012. Melanie worked with Phil Berger Jr for years. Phil Berger Jr is the son of Phil Berger, Sr. (Mayodan, NC town attorney & NC pro tem Senator). See Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 7-12 of 75.

21. **Roll Call** on November 18, 2013: "Phil Berger Jr. to Announce Congressional Bid in North Carolina" This article says "Berger, the son of state Senate President Pro Tem Phil Berger, had long planned to run for this seat when Coble retired". **NCNN** delivering radio news statewide on **November 20, 2013** "Berger Jr. to Run for Congress in 6<sup>th</sup> District" says: "Berger Jr. says, "I am going to serve as the District Attorney for Rockingham County, but today I announce that I am going to run for Congress. Howard [Coble] and I have just a great relationship. And when he announced that he was going to retire, I decided to throw my name into the ring." Berger's father, Phil Berger, is the North Carolina Senate President Pro Tem". On **Fox 8 News** on **July 9, 2014** "Berger Accuses Walker of lying about education on Facebook; Walker claims account was "Hacked"". During a press conference in Guilford County, NC Walker said that someone "hacked" into his Facebook profile in the last 24 hours and added UNCG as his school. Walker did not directly point the finger at Berger, however he suggested it was a political act. Walker claims the "hack" was intended to portray him as a liar

and was a sign of desperation from the Berger campaign". The **American Spectator** on **July 15, 2014** "Tonight's two Runoffs: Alabama and North Carolina" "North Carolina: The race to replace long-time Republican Congressman Howard Coble is heating up as well. Both Phil Berger and Mark Walker are throwing punches and not holding back. According to the *High Point Enterprise*: An already nasty runoff campaign in the Sixth Congressional District turned more volatile Wednesday when Republican candidate Mark Walker filed an ethics complaint against opponent Phil Berger Jr., including pointed accusations against Berger's father who's one of the most powerful men in state government. Berger's father is the president pro-tem of the Senate. The article continues: "It is clear that Phil Berger Sr. has leveraged his position and influence to steer political contributions to the super PAC supporting his son. This is likely a violation of state or federal law," Walker said during a press conference at the Guilford County Republican Party headquarters. **Winston-Salem Journal** on **July 15, 2014** "Walker beats Berger in bitter race for 6<sup>th</sup> District GOP nod" "Berger's father, Phil Berger Sr., is president pro tem of the state Senate and one of the most powerful Republicans in the state". The **News & Record** on **July 16, 2014** "How did Mark Walker Blindsight Phil Berger Jr."? When Brian was attending the town hall meetings in Mayodan, NC in 2012 and writing good and bad articles about the Mayodan, NC attorney who is also the NC pro-tem senator, Phil Berger, Brian was not aware that he had a son by the same name who was the district attorney for Rockingham County, NC. Once we realized this and saw that Reidsville police "Robert Bridge" and Mayodan, NC police met at the district attorney's office in Wentworth, Rockingham County, NC to get help in writing the search warrant, it said nothing about District Attorney Phil Berger Jr. or assistant district attorney, Melanie Bridge. We wondered why they didn't go to the Rockingham County court to get a judge to sign a search warrant, why would they then go to another county: Winston Salem, Forsyth County, NC to get a judge to sign the search warrant for a residence in Rockingham County, NC. Then we kept reading in the Mayodan, NC police report about Brian's case that all papers would say that Brim was his own boss. The only time we see the name Charles Caruso who is the Mayodan, NC police chief was when he showed up at the house during the police raid. Charles Caruso is Brim's boss, but they make sure not to put his name anywhere as his boss on the Mayodan police report. We wondered if Phil Berger Jr. is involved in any way with the police raid but don't see his name anywhere. In January, 2015 we got a chance to read the NC SBI Discovery report with Brian, and that is where we see the name "Phil Berger Jr." all over this report and the "State of North Carolina" is listed as Brian's victim.

The year is 2017, I'm going to put on google search, "USWGO – Phil Berger": There was an article in **Before It's News** dated **July 19, 2012** called "From ad hominem to "abusum auctoritate" talking about USWGO Reporter Brian Hill and an Oklahoma citizen were both escorted out of public meetings this week for asking questions about the National Defense Authorization Act (NDAA) and HR 347 bills that many groups from both sides of the spectrum have said violate over half the bill of rights and U.S. Constitution, then it tells the story about Brian asking a question of Phil Berger Sr at the Mayodan Town Hall meeting and being removed by the chief of police with a copy of Brian's video. **Planet Infowars.com** "NC Sen. Phil Berger's Most Campaign Contributors are Big Banks, Big Pharma, Big Telecom!" by USWGO Alt News. Author: Brian D. Hill on **June 29, 2012**. **Infowars.com** "NC Sen. Phil Berger & Rep. Bert Jones still haven't responded to Nullify-NDAA Petition" by Brian D. Hill USWGO.Com **June 5, 2012**. **Planet Infowars** on **May 20, 2012** by USWGO Alt News Author Brian D. Hill "NC Senator Phil Berger Receives the Nullify-NDAA Petition at the Mayodan Town Hall". We Are Change "WRC Exclusive: Alternative Media Writer Brian D. Hill Setup on Child Pornography Charges" by Aaron Kesel on **June 29, 2016**. **Jew World Order** on **June 5, 2012** by USWGO Brian D. Hill "NC Sen. Phil Berger & Rep Bert Jones still haven't responded to

Nullify-NDAA Petition" **Patriots for America** "Press Conference to be held at Mayodan Municipal Building May 14<sup>th</sup> on Nullify-NDAA Petition" by Brian Hill **May 5, 2012.**

We found out in November, 2014 (almost 11 months after Brian was arrested that he would go to the Orange County, NC jail, and they didn't have a night nurse, so the US Marshalls would pick Brian up early on court days in Greensboro or Winston Salem, NC without any insulin at all until he came back that night, he would get one insulin shot that day for dinner. He was going to court with autism (hard for him to understand verbally – like a radio station with interference) and with real high blood glucose readings, he wouldn't be able to read due to blurry vision. Just like the police department, his lawyer even after we told him about Brian's autism and brittle diabetes and gave proof did not provide communication aids for Brian, providing an autism expert to make sure he understood what was being said, checking his blood glucose (or having Brian to check it), giving him an insulin shot if he needed that or glucose (apple juice, orange juice or coke with sugar) if his glucose was low. The police during the police interrogation on August 29, 2012; the jails from December, 2013 – November, 2014, Brian's court appointed lawyer: all broke ADA (American with Disabilities Act) laws.

On April 21, 2014 Brian respectfully and humbly asked the court for a hearing to introduce witnesses and evidence as to why the court should move to suppress the evidence submitted by the prosecutor in his case. The first hearing he requested was a "Frank's Hearing" to test the legality and the validity of the search warrant as to whether it should be quashed. (The Fourth Amendment to the U.S. Constitution prevents illegal searches and seizures and is one of the most fundamental rights an American citizen has). Brian then asked for a second hearing to determine the reliability, validity, and admissibility of the evidence held against him. The evidence and witnesses will be submitted and addressed by the new court appointed attorney. "Respectfully submitted to the court on the date this motion arrives at the court house. Brian David Hill, [admin@uswgo.com](mailto:admin@uswgo.com)". Case 1:13-cr-00435-WO. Document 16 Filed 4/21/14 Page 1 of 1.

Brian also asked the court for a hearing to introduce witnesses and evidence as to why the court should move to suppress the confession to the two detectives. "The hearing is to determine the inadmissibility of the confession in the Mayodan, NC police department". Source: Federal Court Docket entry, U.S. District Court for the Middle District of North Carolina, **Case 1:13-cr-00435-WO, Document 16, Filed 04/21/14, Page 1 of 1.**

Of course, everything Brian would present to the court (pro se motions) were denied. In going over the police report, the NC SBI report and the court records, we could not find anywhere that the police, NC SBI report (which had no photos at all) and the court of this law: **Law enforcement investigators must collect, collate and analyze every picture, video, or story to prosecute a case involving CP.** Neither can we see where Brian's court appointed attorneys were questioning anything about the Mayodan police report or the NC SBI Discovery report.

Since crimes such as the distribution or possession of child pornography are so heinous, they are sometimes used to frame an adversary. The seriousness of the charge and the heinous nature of the crime can blind one to the truth regarding the facts. The result of confirmation bias could be a miscarriage of justice including the incarceration of innocent people (Van Oirschot, 2015). BitTorrent is a popular peer-to-peer file transfer program that allows participants in a swarm to exchange pieces with each other during the downloading process. Since users do not have to download all pieces from the original publisher, the downloading of very large files in an active swarm is typically faster than other methods used to distribute files. BitTorrent is often used to share pirated music and videos. Unfortunately, it is also used to distribute child pornography. Many people do not understand how the BitTorrent protocol works, including those in law enforcement and the legal profession. This lack of

technical understanding combined with various legal issues can result in a weak case against those that are truly guilty or an inadequate defense of those that are not.

<https://www.sans.org/reading-room/whitepapers/legal/bittorrent-digital-contraband-36887>

BitTorrent users that seek out pirated software or tools that help them circumvent copy protection, such as key generators and cracks, are frequently targeted with malware. This malware often adds the infected system to a botnet (A botnet is a number of Internet-connected devices, each of which is running one or more bots. **Botnets** can be used to perform distributed denial-of-service attack (DDoS attack), steal data, send spam, and allow the attacker access to the device and its connection.) that criminals can use for a variety of malicious purposes (Kammerstetter et al., 2012). According to the Mayodan police report the police asked Brian what his computer usage was, and Brian stated that he used BitTorrent to download Movies, Programs and Music. Never once did Brian say that he downloaded child porn. It was the police who were questioning Brian at lunch time, denied on the police report that Brian at the beginning told the police that he was innocent and had a computer virus. This was in the confession tape; not on the biased Mayodan, NC police report. On the police report, it does state the time (lunch time the next day after the traumatic police raid) that Brian was questioned, leaves out the part that they knew Brian had autism and brittle diabetes (even though they include a photo of Brian's syringe that he used and is now documented in court records for insulin) and in the little parts of Brian's mom's interrogation say something about autistic. His autism is also now documented in court records. We sent this information to Brian's court appointed attorney from the very beginning, and he refused to let the court know how serious Brian's health was. Brian, his family and his friends were ignored, but after Brian was forced to stay in jail without bond for 5 months, the court finally acknowledged that Brian had brittle diabetes, autism, OCD and anxiety but still the court denied him his constitutional rights by not providing him an attorney who would fight for his rights and ignoring Brian's pro se motions where Brian is telling the court that this attorney is doing nothing to represent him, and this court denied Brian any communication aids for these disabilities, all covered under the "Americans with Disability Act". According to the police report and with a medical professional who understands autism, OCD, brittle diabetes, etc. the police added the word "child porn files" to their questioning as Brian's blood glucose was going way down causing his brain not to function as he was answering the police questions and started repeating what the police had said earlier. An expert checking the confession tape would verify that is the reason the police got the false confession and misleading statements from Brian, and that is the reason his false confession did not match with the findings of the NC SBI report of dates of download and no child porn in Brian's netbook. Brian's family saw the NC SBI Discovery two months after Brian was released from jail, and there weren't even any photos on that. This entire case was based on Brian's false confession, and the harm this court system has done to Brian and his family can never be erased.

**A defendant enjoys the presumption of innocence.** (Brian with all of his disabilities was denied bond and treated "guilty" and forced to stay in jail for 11 months in torture without the Insulin requirements for his body to keep his blood glucose in control UNTIL he took the guilty plea, then he was allowed to come home and go to his doctor to get his prescribed insulin.) **The prosecution must prove its allegations at trial beyond a reasonable doubt.** This did not happen either because Brian now has the proof that the police got a FALSE guilty plea, and the Mayodan police records and Brian's confession does not match with the NC SBI Discover report which does not include any photos and states that child porn was being downloaded for 11 months after the police got Brian's computer and while these computers and hard drives were in the custody of the Mayodan, NC police and the Greensboro, NC SBI office. Ineffective attorneys had this information

the entire time yet did nothing to prove that Brian is innocent or at least "Reasonable doubt".

Later we looked at the typed confession from the Mayodan, NC written report. Brian didn't say he downloaded child porn. He told the police that he downloaded movies, programs and music. He told the police that mom didn't touch his computer. He has OCD, so he doesn't want anyone to touch any of his things because of germs. After the police raid where the police had touched everything in his house, he went to Virginia the next day and refused to ever go back to his house again. He had lived in this same house for over 7 years. Looking at the police record, they don't say anything about providing communication aids for someone with autism (an autism expert or a family member to help Brian and the police to understand what was being said to get truthful statements (communication aids); not misleading statements and a false confession). Brian has brittle diabetes. His mom told the police that the day before in front of Brian and his grandparents. Brian explained to the police that the needles in his living area were for insulin for his diabetes the day before. The police report showed Brian was questioned during lunch time, and nothing was said about making sure that his glucose was ok; testing Brian's blood sugar or having Brian or his mom to test it). They didn't ask this brittle diabetic at lunch time if he was ok or needed something to drink with sugar in it for his diabetes. The two detectives according to their own police report disobeyed ADA laws, got a false confession which led to an arrest 16 months later and terrible treatment in jails for 11 months (including not giving him the insulin his body required and doctors had prescribed for over 20 years, ineffective attorneys, a guilty plea, 10 years of probation and putting his name, photo and home address on the sex registry when he is a virgin, has never harmed any child and the mental damage and worries on him and his entire family for 5 years and counting. All the hard work Brian had done on his YouTube interviews and reporting news for the past 3 years (even recognized by the Righthaven lawsuit in 2011 by many media outlooks, TV news and "Reporters without Borders" and to gain respect and have friends and being a member of the "alternative news" with respect was now undone by the term "Child porn possession"). This is not a murder, it is "**Character assassination**" by the terms "Possession of child porn, criminal, felony, sex registry". The police, state and federal courts who are there to protect us are now his accusers. To get out of this requires \$300,000 with no guarantee of winning, so the poor are aware of their rights as American citizens under the US Constitution, but this means nothing if you don't have an attorney to represent you in court. An ineffective attorney is worse than no attorney because you can't represent yourself and have no representative at all to prove your innocence to the court.

Brian's family was in shock from the police raid and the arrest. We found out that the first 4 days Brian was in jail, he was not given any insulin at all and sent to court. We were in fact delusional. We had been taught our entire lives to be law abiding citizens and to respect the police, the laws of our land and the court and had taught this to our children who taught this to their children. Actions have taught us that "innocent until proven guilty" now means "Guilty until proven innocent." If they say child porn is on your computer, how do you prove you were not the one who put it there? We were so happy that they appointed an attorney for Brian. Now this attorney would prove Brian was innocent. He would make sure an expert medical witness would testify about false confessions of people with autism and about what happens when the police question a diabetic at lunchtime without obeying the ADA laws about these disabilities. He would hire an expert to examine the tape with the confession on it and would hire a computer expert to check for viruses and the possibility that Brian's computer had been hacked. By this time Brian had received an email in April, 2013 from someone who admitted putting child porn in his computer and hard drives and threatened setting him up with more sex crimes and said they knew people in the SBI who would make sure he would be guilty no matter how much evidence he had of his innocence. They threatened setting up alternative news people with child porn. We had the proof that they did exactly as their threat email said they would. We found out they were angry because Brian had put an article about this emule virus on his youtube

website. After they threatened setting up Brian's friends, we found out Brian had put a video on his USWGO YouTube video page in April, 2013 called "Emule virus type has infected people around the entire world" may only be one variant of all of the emule viruses that share and download illegal material along with computer viruses in order to set people up for criminal offenses" ..

He got another threat email telling him not to tell anyone else about this virus and he would regret ever being an investigative reporter.

We were faxing and emailing these to Brian's attorney (Eric Placke) and asking him what else he needed. Never once did this court appointed attorney ask to meet with Brian's family in his office from December, 2013 – June, 2014 nor did he ever ask us to send him anything. We were asking him questions about the discovery from the NC SBI about the child porn they claimed was on his computer, and he told us on the phone and sent an email that we were not allowed to see the discovery. For months he would not contact us. Brian started asking the court for another attorney in April, 2014 but was told that this was denied because he had a competent attorney.

Then one evening after Brian had been in jail for over 5 months, we got a call from an attorney we contacted from the disability attorney's office in Raleigh, NC and later from Brian's attorney telling us that they were going to get a jury together, Brian's attorney had nothing to offer to the court in Brian's defense (What happened to all the things we had emailed and faxed him?). We were told by 2 attorneys that the jury would hear his confession tape, see the discovery, and Brian would get up to 20 years in prison. Since his court appointed attorney had nothing to offer about his innocence or nothing to offer that could show doubt about his guilt. The prosecution had offered "Time served in exchange for a "guilty plea". This was in the evening, court started the next morning. Even if we could have afforded to hire an attorney, there was no time and nothing we could do but to tell Brian to take the "guilty plea" even though he and we knew he was innocent of knowingly downloading child porn. He was saying guilty to possession. No one had explained to any of us what that meant, and the first attorney told us (Brian's 2 grandparents) on the phone that if he had bought a computer with child porn, he would be guilty of possession even if he didn't put it there. We don't even know if child porn was on his computer, just going by what we were told, and the police had lied to us many times. Brian's court appointed attorney had lied to us too.

Brian did as I asked him to do in court, but when he realized that he was not getting what the US constitution promised (due process and effective attorney), and knowing he was innocent of knowingly downloading child porn, he was angry and wanted to take back his guilty plea and get another attorney. Again all he sent to the court from June – September, 2014 was denied, and he was told by another judge that he had a competent attorney, one of the best in the middle district of North Carolina as the jails were only giving him 2 insulin shots per day. One regular insulin shot to take care of what he ate for breakfast, no insulin to cover the food he ate at lunch, one insulin shot to cover what he ate at dinner. Brian is a brittle diabetic, when he is upset his blood glucose goes real high. He was never given any of his long acting insulin to cover the rest of the day. At home he also gets another regular insulin shot in addition to the one at breakfast, one at lunch and one at dinner if his blood sugar continues to be up at other times. He does have low blood sugars throughout the day and night and sometimes seizures, and his mom makes sure he has an emergency supply of juice or icing or other sweet things for these times. Found out later that he was usually at the Orange County, NC Jail on court days, and there is no night nurse in that jail, so Brian was only given one insulin shot on that day, and that was to cover what he ate at dinner time after he spent the entire day in court with high blood glucose.

We sent Brian many things for him to send to the court to prove to the court that he was not delusional in September, 2012. We did have proof of his innocence or at least reasonable doubt. Sent things by email to his attorney who obviously did not put any of this in the court records to help

Brian to prove he is truly innocent, did not knowingly download child porn, had not seen any child porn at this time and didn't even know if his computer had child porn. That was the truth, but his court appointed attorney ignored all, and all the judge had was what the prosecuting attorney would offer for proof and probably didn't even realize all the proof Brian did have. Brian wrote many pro se motions in 2014 and submitted them to the court and proof documents. All pro se motions were denied and the judges always said they were denied because Brian had a competent attorney. If Brian had a competent attorney, then there would be no reason for his spending time and money to write these pro se motions. Finally on September 30, 2014, Brian's court appointed attorney proved to the court that he was incompetent and had denied Brian all of his constitutional rights. This attorney also covered up the fact that Brian had autism, brittle diabetes and OCD all requiring communication aids according to the Americans with Disabilities Act. In 2017, Brian and his family received more proof that both attorneys appointed by the United States District Court for the Middle District of North Carolina were ineffective attorneys and denied Brian's right to a fair trial according to the US Constitution and the Laws of our great land.

An attorney (Sue Basko) who had helped Brian's friends when attempts were made by people sending tormail emails to them with child porn by helping them to report this to the FBI and other authorities had been sending emails to Brian's court appointed attorney and to the prosecuting attorney about these child porn set ups of alternative news people and telling them she had some sent to her too and explaining that Brian is innocent and has an alternative web site and was involved with town hall meetings in NC and explaining that Brian has autism and diabetes and was questioned by police at lunch time by himself (Autism = false confessions and misleading statements if not provided communication aids). She sent this to the judge on September, 2014. The judge acted shocked and didn't know what to think about all of it. Case 1:13-cr-00435-WO Document 32 Filed 09/15/14 Page 2-3 of 7. Case 1:13-cr-00435-WO Document 46 Filed 09/30/14 Page 1-3 of 3.

Both attorneys admitted getting emails from her, admitted that she was an attorney and admitted ignoring her and other witnesses who had contacted them on Brian's behalf. The judge then decided to get Brian another attorney. (US v. Hill - Hearing - September 30, 2014). This attorney had 2 weeks to decide what to do. He met with Brian's family, and at this time we were more concerned about Brian's health, knowing all of the things which happen to a diabetic when not getting enough insulin like blindness, kidney failure, nerve damage, losing a limb, and this time in jail would also make his autism worse, all the years his mom and teachers spent to help his autism improve was now being affected by months in jail, sometimes with criminals (some good and some bad) and sometimes 23 hours a day in solitary, and Brian was worried constantly which would make his diabetes, autism, anxiety and OCD worse. He was losing a lot of weight. See Brian's pro se motion in federal court records: Case 1:13-cr-00435-WO Document 38 Filed 09/22/14 Page 7 of 8 and page 8 of 8.

More time in jail without the insulin his body needs could cause him to die. If he was in jail for 12 months (1 year), he would also lose his SSI. At this time he had been in jail for almost 10 months, sentencing was to be in November (almost 11 months). This attorney (Scott Coalter) did show Brian's family (Brian's mom and 2 grandparents) the discovery, but it would take hours to read, and we were not experts and wouldn't know what any of it meant (we thought), so we didn't read it. Brian's mom did ask this second court appointed attorney (Coalter) about Brian's net book in October, 2014. When the police questioned Brian at lunchtime, they asked if he had any other computers with child porn in it, he said, "I have a netbook that you didn't get". This netbook he used a lot when he was interviewing people and for his USWGO articles. The attorney asked what the serial number was, and of course, we had with us a lot of proof including the police report they gave to Brian's mom

after the police raid with the inventory. We found the serial number for the netbook, and he checked the NC SBI discovery papers and found the serial number showed "no files of interest", no child porn. This was proof that Brian gave a false confession or misleading statements (autism and could also be from low blood glucose) during the police questioning at lunch time the next day after the traumatic event of the police raid. Neither of Brian's 2 court attorneys let us (Brian's mom and grandparents) listen to Brian's police false confession tape. Neither did either of them have a professional to examine the tape due to Brian's autism and the time that Brian was questioned with his brittle diabetes, lunch time.

Brian came home determined to continue fighting to prove his innocence and letting the court know that was his intention after he saw his doctor and got his insulin that his body needed. He wanted to look through all of his proof that he had to prove his innocence, get a computer expert to check his computer for viruses or/and hacker attempts. He really wanted to read his discovery papers. He wanted for all of us to read them together. This was in January, 2015. His second court appointed attorney set up a time when we could read the discovery in his office. He was not there, but his assistant gave us (Brian, his mom and 2 grandparents) the discovery records to read. We noticed the name "Phil Berger Jr. all over the discovery. He was the Rockingham County District attorney at the time, and his dad (Phil Berger Sr.) was the Mayodan town attorney at all Mayodan town hall meetings. His dad was also the NC pro tem senator. Brian gave his dad the petition and was writing articles about his dad and the town of Mayodan (some articles were good and some were bad). Would this be considered a "conflict of interest"? Then there was nothing on the NC SBI discovery report that showed "children were the victims"; instead it said that "North Carolina" was the victim. If there is child porn found on your computer downloaded from the internet, and the court can't identify who the children are, then why would it say that the victim was the state of NC? We were told that there would be photos as proof, but they would be blurry. **There was not one photo in this report, just typed words** and dirty descriptions typed with the words "baby" or "child" in the typed descriptions. What really got my interest was when I read the dates that items of interest were being downloaded on Brian's computer. That really stood out to me. This was the first and only police raid that I was involved in. I was not the victim in this raid, but the effects are with me today, every time the door bell rings, every time I see a police officer. The date August, 2012 stays with me, never to leave, yet the dates that items of interest according to this NC SBI Discovery report was: July 20, 2012 to July 28, 2013. All computers and hard drives were removed from Brian's house on August 28, 2012 (netbook was removed on Aug. 29, 2012) by the Mayodan police and one police from Reidsville, Rockingham County, NC (Bridge) who is a brother of Phil Berger Jr's assistant DA. She (Bridge) was running for the office of Rockingham County district attorney in 2014 and lost. Phil Berger Jr was running for the office of US congressman from NC in 2014 and lost. **Conflict of interest more ways than one?**

Brian was arrested because the police asked him at lunchtime by himself: "How long have you been downloading child porn?" Brian said "A year or so". Police asked Brian, "Is there any other computer with child porn in it?" Brian's answer, "I have a netbook you didn't get". The Mayodan police report conflicts with the NC SBI report. Brian never once told the police that he was downloading child porn. He told them he was downloading movies, programs and music. The police, the jails, the court appointed attorneys and the court system ignored all of Brian's disabilities and never once provided him with the communication aids he needed for his disabilities covered under the ADA (Americans with Disabilities) to make sure that he would have a fair time in court. Denying this was also denying him his constitutional rights. Brian, my husband, daughter and I were witnesses to all of this. I have never heard the confession tape, but Brian has told us that he started out by telling the police that he was innocent, that there was a virus on his computer. As he continued being questioned, he became confused and the police had him believing that he was addicted to child porn and needed help. We did take him to the hospital at his insistence in Winston Salem, NC because he was a patient of Amos

Cottage Hospital for over a month in 1995 and was an outpatient in the diabetic part of the hospital for a few years. He wanted to kill himself after the police raid and the police interrogation. The hospital did not admit him, and we brought him back home. Brian does not drive a vehicle due to his many severe disabilities, so his mom and sometimes his grandparents take him everywhere he goes. He realized that he was not into child porn a couple of weeks later, and that the police had him believing that he was. In reality he had never even seen child porn, but he was taught his entire life to trust the police. It was a relief to me when he admitted that to us.

His first attorney would not even let us or a professional see the Discovery. His second attorney did, but we were unable to read it as it was too large (found out in January, 2015 there were 3 copies of each page). He did answer Brian's mom's question about whether child porn was found in Brian's Netbook or not. This attorney asked us if we had the serial number of the Netbook (We had a copy of the inventory record with the serial number of the netbook listed on the last page on Aug. 29, 2012. He looked at the discovery and told us there was **no child porn in Brian's Netbook**. Then in January, 2015, Brian, his mom, his grandpa and I went to Mr. Coalter's office in Greensboro, NC and read the discovery. **There were no photos in it**, just descriptions of what was found in Brian's laptop computer. What stood out to us were the dates that this **discovery record** from the NC SBI in Greensboro, NC said items of interest was being downloaded to Brian's computer. We took notes: **454 files had been downloaded with the emule program between July 20, 2012, and July 28, 2013**. We knew and have proof that the search warrant and the police raid at Brian's house was on **August 28, 2012 where they took all of Brian's computers, hard drives, home made CD's, DVD's, etc.** According to the Mayodan, NC police records and inventory, the police came to Brian's house on August 29, 2012 and picked up Brian's Netbook.

Let's compare the **Mayodan, NC police report** with the NC SBI discovery report. Appears that the police report on #65 is talking about Brian's IP address and the date of **July 20, 2012 – July 27, 2012** that 3 well known child porn are downloaded and Bridge is very familiar with these 3.

65. The IP address 24.148.156.211 was first logged in the CPS undercover system by the automated tools previously described on 07/20/2012 offering to participate in the distribution of child Pornography known to me. Between 07/20/2012 and 07/26/2012, the IP address 24.148.156.211 was logged, showing a continual pattern of child pornography, by the automated tools. That IP address was logged as offering to participate in the distribution of 3 files of known or suspected child pornography during that period of time. Of those 3 files logged your affiant has seen in prior investigation and can attest that he knows personally that 2 of them are indeed child pornography as defined by the North Carolina General Statutes. The other 1 are known by other officers participating in the undercover operation to be child pornography. The 2 that are known by your affiant can be described as follows:

The Mayodan police report says that that Brian's IP address was first logged in the undercover system on **7/20/2012**.

Let's compare this date with the NC SBI discovery report from Greensboro, Guilford County, NC.

eMule Known.met: The Known.met saves all files eMule knows of whether they are shared files, files currently in the download list, or downloaded in the past. For every file, information like file size, file name, hash sets, hash values, and some statistics are saved. From the analysis, this record showed that 454 files had been downloaded with the eMule program between July 20, 2012, and July 28, 2013. This record also showed that files were shared with other users and the number of times each file was shared.

NC SBI says the first time files were downloaded was on **July 20, 2012**. The Rockingham County police department spotted the child porn very early. This agrees with what Brian said on the Alex Jones Prison Planet on **July 12, 2012** when he said that the police were watching him and his mom and looking for a reason to arrest them, and he was afraid the police department was going to set him up. (See Document Police removed all computers and hard drives from Brian's house on **August 28, 2012** (netbook on August 29, 2012). According to this NC SBI Discovery Report, this child porn continued being downloaded until **July 28, 2013** (11 months after Asst attorney's brother, Bridge and Mayodan police removed it from Brian's house). Case 1:13-cr-00435-WO Document 45 Filed 09/26/14 Page 20 of 20.

This makes me wonder why 2 court appointed attorneys did not question the dates from the NC SBI Discovery showing items of interest were being downloaded 11 months after the police confiscated this computer from Brian's house. Neither did either attorney question the fact that in this police report, the police are admitting to being familiar with 2 of these child porn files, yet according to this court document: Document #33, Filed 09/16/2014, Page 6 of 26: *"According to the government, none of the children have been identified as part of a known series by the National center for Missing and Exploited Children (NCMEC)."* I personally have proven in mine and my husband's Yahoo Email account in 2017 that when we click on "Raw Format" on Brian's emails to us from May – August, 2012, it shows his email as coming from the same IP address listed in the Mayodan police report: 24.148.156.211. Brian (admin at USWGO) had been sending emails to Reidsville and Mayodan, NC and other places in Rockingham County, NC with his home address and his phone number during this time frame about his petition. A competent attorney should have been questioning these things as well as other things to prove that Brian was innocent or at least offering a jury facts of reasonable doubt, and there are many as you can see in this letter alone.

During the police interrogation of Brian David Hill at the Mayodan, NC police station, the police ignored the ADA laws when questioning Brian. Knowing he had autism and knowing he was a brittle diabetic who was given insulin shots, they questioned him alone without someone there like a lawyer, autism advocate or family member to help him understand their questions and at lunch time without having him or his mom or a medical person there to check Brian's blood glucose or without offering him food or a sweet drink. The police as far as I know did not know that he had OCD which is also covered under the ADA. They were told the day before by Brian's mom about the autism and brittle diabetes. They found the insulin needles in Brian's apartment and called him in by himself to ask him about it and sent a photo of the needles to the US Justice department without explaining that they were insulin needles and not illegal drug needles. Brian told them he was diabetic and these were his insulin needles. He would come upstairs each time the police questioned him and tell us what was said. Brian's mom also told them again the next day during her interrogation about Brian's autism.

Now we have the proof that both of his attorneys and the prosecuting attorney had the proof of Brian's innocence and ignored it. We also have proof that his first attorney and the prosecuting attorney ignored all of Brian's witnesses (from the September 30, 2014 court transcript) and that his first attorney was deleting all attachments that Brian's family (and I'm sure friends too) were sending him as proof. In **June 9, 2014** Brian's mom and grandparents were called by the disability attorney and his first court appointed attorney and told that the very next day Brian's case was going to trial and a jury would be picked. They both told us that the jury would not know about Brian's autism and his family would not be allowed to testify for him, and he would be found guilty due to his confession tape and the discovery. In **January, 2014** Attorney Placke told us on the phone that we were not allowed to see the discovery and sent an email to us on January 10, 2014 at 4:56 PM telling us the same thing. Brian kept telling the court that he had an ineffective attorney. For proof, see these federal court pro se motions from Brian David Hill in 2014: **Case 1:13-cr-00435-WO, Document 16, Filed 04/21/14, Page 1 of 1**; **Case 1:13-cr-00435-WO Document 27 Filed 09/02/14 Page 1-5 of 5**; **Case 1:13-cr-00435-WO Document 28 Filed 09/03/14 Page 7-11 of 11**; **Case 1:13-cr-00435-WO Document 38 Filed 09/22/14 Page 2 of 8**; **Case 1:13-cr-00435-WO Document 39 Filed 09/23/14 Page 1-2 of 2**; **Case 1:13-cr-00435-WO Document 43 Filed 09/26/14 Page 1-2 of 2**. Brian also sent pro se motion to the court under oath that he was **INNOCENT of knowingly downloading child porn**: **Case 1:13-cr-00435-WO Document 28 Filed 09/03/14 Page 1-11 of 11**; **Case 1:13-cr-00435-WO Document 29 Filed 09/09/14 Page 1-9 of 9**; **Case 1:13-cr-00435-WO Document 30 Filed 09/10/14 Page 1 of 5**; (From Attorney Sue Basko to Brian's court appointed attorney & to the prosecuting attorney on Dec. 30, 2013: **Case 1:13-cr-00435-WO Document 32 Filed 09/15/14 Page 2-3 of 7**; **Case 1:13-cr-00435-WO Document 34-1 Filed 09/18/14 Page 2-10 of 12**. **Case 1:13-cr-00435-WO Document 36 Filed 09/18/14 Page 1 of 2**. **Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 2, 13-22, 27 of 75**. **Case 1:13-cr-00435-WO Document 38 Filed 09/22/14 Page 1-8 of 8**. **Case 1:13-cr-00435-WO Document 40 Filed 09/23/14 Page 2 of 3**. **Case 1:13-cr-00435-WO Document 42 Filed 09/26/14 Page 1-2 of 2**. **Case 1:13-cr-00435-WO Document 43 Filed 09/26/14 Page 1-2 of 2**. **US v. Hill - Hearing - September 30, 2014** is where Brian's grandparents & Attorney Sue Basko told the judge that Brian was innocent of knowingly downloading child porn. This was the same court case where Brian D. Hill's court appointed attorney and the prosecuting attorney confessed to the judge that they had received emails from Attorney Sue Basko and calls from others coming forth to be witnesses for Brian and that they ignored Brian's witnesses (Entire transcript is in court records). This is the same hearing that the judge appointed a new attorney for Brian, but too late as Brian's health had gone down too low from over 9 months of not getting the right amount of insulin prescribed by his diabetic doctor for the past 22 years. (From the age of 21 months to the age of 23+ years).

In 2017 we started discovering more proof of Brian's innocence and more proof of this set up that the threat email talked about in April, 2013.

We were forwarding emails from Brian's court appointed attorney, Mr. Placke to Brian's mom, so she could print them out for Brian to file with his other documents about his case. We noticed at the bottom of our yahoo email that it said that Placke had deleted all attachments we sent to him from December, 2013 and into 2014. No wonder he had no proof to present to the court on June 10, 2014 when they claimed Brian's case was going to a jury trial, and even though Brian and his family and friends continued to say that Brian was innocent and family and friends were sending proof to his court appointed attorney, defense attorney Placke did not notify Brian's family of the June 4th court

date and by the June 10th court date, he was calling Brian's family letting them know he had nothing to offer the court to prove that Brian was innocent or at least things to present as a reasonable doubt. They made sure that Brian was staying in jail sick from not getting the insulin his body required, losing weight, moving him to various jails which was hard on his diabetes, anxiety, autism and OCD. He couldn't get access to any proof to present to the court because he was not allowed any bail to even get out of jail; his attorney was deleting attachments to emails that Brian's family and friends were sending to him, faxes for proof that were sent to him were not put in court records.

We asked many times what else he needed for us to send to him to prove Brian is innocent or at least reasonable doubt. We gave him names and phone numbers of people to contact, especially to help with the autism. Never once did he ask us for anything. He kept Brian's brittle diabetes and autism a secret when these important facts should have been brought up to the judge from the very beginning. Then Brian has been in jail for over 5 months, and we find out the night before that Brian's case is going for trial and his attorney has nothing to offer to the court in Brian's defense, and Brian will be convicted as a sex criminal because the prosecuting attorney would present Brian's confession from the Mayodan, NC police department and the proof from the NC SBI discovery that there was child porn on Brian's computer. We were told that the jury would not know that Brian had autism (And we knew it was because of the autism and the brittle diabetes being questioned by 2 police at lunch time the day after the police raid without providing the communication aids Brian needed, thus breaking the law pertaining to people with disabilities that they got the false confession and misleading statements, but we were told by his attorney that this would not be used). Brian's family would not be allowed to testify for him and apparently none of his friends or other people who were doing alternative news would be able to be a witness either). Now his court appointed attorney is telling his family that the very things that he clearly told us we would not be allowed to see or read them is what the jury would use to give Brian 20 years in prison. **HOWEVER**, he told us if we can convince Brian to say he's guilty, the prosecuting attorney has offered time served. Of course, he didn't tell us that Brian would still be in jail for months after he said he was guilty, that Brian would be on probation for 10 years and would have to register as a sex offender when he is a virgin and innocent, had never once done anything to hurt any child or any adult.

I wonder why Brian's attorney didn't do any research about child porn. For instance, I just found an article from ***The Denver Post*** Date: November 8, 2009 by The Associated Press called "PC Users Framed by virus collecting child porn". <http://www.denverpost.com/2009/11/08/pc-users-framed-by-virus-collecting-child-porn/>

According to this article "Of all the sinister things that Internet viruses do, this might be the worst: They can make you an unsuspecting collector of child pornography. Pedophiles can exploit virus-infected PCs to remotely store and view their stash without fear they'll get caught. Pranksters or someone trying to frame you can tap viruses to make it appear that you surf illegal websites. Whatever the motivation, you get child porn on your computer and might not realize it until police knock at your door. An Associated Press investigation found cases in which innocent people have been branded as pedophiles after their co-workers or loved ones stumbled upon child porn placed on a PC through a virus. It can cost victims hundreds of thousands of dollars to prove their innocence".

***Prison Legal News*** had an article dated Nov. 15, 2010: "**Child Porn Investigations May Snare the Innocent**" "A new threat looms in the Internet age – the threat of improper prosecutions and wrongful convictions for the unwitting receipt, possession or attempted possession of child pornography. Everyone is at risk, as these offenses can be committed by hackers who gain remote control of your computer, by malicious software that directs your PC to websites with illegal videos and images, or by sexual predators who use your unsecured wireless connection to conduct illicit

activity". <https://www.prisonlegalnews.org/news/2010/nov/15/child-porn-investigations-may-snare-the-innocent/>

**The Columbus Dispatch** had an article dated Nov. 10, 2009: "Virus Infect PC's with child porn". "Of all the sinister things that Internet viruses do, this might be the worst: They can make you an unsuspecting collector of child porn. Heinous pictures and videos can be deposited on computers by viruses--the malicious programs better known for swiping your credit card numbers. In this twist, it's your reputation that's stolen. Pedophiles can exploit virus-infected PCs to remotely store and view their stash without fear they will get caught. Pranksters or someone trying to frame you can make it appear that you surf illegal Web sites". <http://www.dispatch.com/article/20091110/news/311109693>

**The Irish Times**: Jan. 19, 2005 "Can a Virus put Porn on your PC?" A 'Trojan' virus may be embedded in your personal computer and be receiving child porn, writes **Jamie Smyth**, Technology Reporter. He later asked the same firm to defend him against the child pornography charges. His solicitor hired computer experts, Vogon International, to examine the hard drive. The result paved the way for a successful nine-month legal battle to clear his name". (NOTE: Hired computer experts. Why didn't Brian's court appointed attorney think about that? Better yet, why didn't he do it?). <https://www.irishtimes.com/culture/can-a-virus-put-porn-on-your-pc-1.407504>

**Roberts Law Firm in North Carolina** "CHILD PORNOGRAPHY THROUGH A COMPUTER VIRUS?" Can child porn really find its way to your computer without your knowledge? While police and prosecutors are skeptical, alleged pedophiles often claim that a computer virus deposited illegal pictures or video on their hard drives. A recent Associated Press investigation, however, has revealed a number of instances where computer viruses have, in fact, been designed to place pornographic images of children on the computers of innocent victims. For those affected, proving their innocence costs thousands of dollars - sometimes hundreds of thousands. According to designers of computer security software, approximately 20 million computers worldwide are infected with viruses that could give someone else complete control. Pedophiles can take advantage of these hacked computers to store and access child porn remotely, protecting themselves in case of an investigation. Hackers can also take control of a computer's internet access, forcing the computer to surf to sites containing child pornography without the owner's knowledge. What can you do to protect yourself? Keeping your computer's firewall or antivirus program up to date will help, as will refraining from opening email attachments from unknown sources. <https://www.robertslawteam.com/Criminal-Defense-Overview/Articles/Child-Pornography-Through-a-Computer-Virus.shtml>

**New Mexico Criminal Law Offices** "Child Pornography Defense Lawyers in Albuquerque" "Crime accusations alleging exploitation of children—for example any charge pertaining to possession or distribution of child pornography—are highly emotional. Your life and reputation can be destroyed by these charges, and you may feel that you have been judged guilty before you've actually been convicted". "Child pornography charges are often brought in federal court where the minimum prison sentence for simple possession of child pornography is five years." (Note: Brian's court appointed attorney was fine with Brian getting 10 years of probation after spending 11 months in jail.). <http://www.newmexicocriminallaw.com/practice-areas/child-pornography/>

Brian told the Mayodan, NC police this from the very beginning about the Trojan horse or virus in his computer and about someone hacking into his computer. His family wrote about this in our Affidavits to the court. Case 1:13-cr-00435-WO Document 27 Filed 09/02/14 Page 2 of 5; Case 1:13-cr-00435-WO Document 28 Filed 09/03/14 Page 2, 3, 5, 8 of 11; Case 1:13-cr-

I kept wondering if there was another way that the police could have gotten Brian's IP address. The timing was just too strange. He is attending the Mayodan town hall meeting on July 9, 2012. He has never committed any crimes, yet the Mayodan chief of police is sitting behind him watching him throughout the hour long meeting, and there is video proof of this on YouTube. (Case 1:13-cr-00435-WO Document 37 Filed 09/18/14 Page 29 of 75). He goes up to the NC Senator to ask a question about a petition he gave him at the May, 2012 town hall meeting, and the police chief is escorting him out of the meeting, and that too is recorded on video. He puts this video on his YouTube channel and writes an article about it on his USWGO website. Then 2 days later he is writing an article on Alex Jones' website that the police are harassing his mom now. He is afraid the police are trying to find a way to either get him or his mom arrested. He goes on his public Facebook page and starts an event 2 days after this for the press to go up to Senator Phil Berger Sr. in a lawful way and start asking him questions. He says that the chief of police told him that he was not allowed to ask the state senator anymore questions. Then 6 days after this, there is child porn on his computer according to the Mayodan police report as well as the NC SBI Discovery Report. And 2 police detectives: one is the brother of the Rockingham County Assistant District Attorney who has been working with the son of the NC state senator for years, and the other police detective is working under the chief of police whom Brian has been writing articles and put the video up of his removing Brian from the town hall meeting simply for asking a question. These 2 detectives are watching these child porn videos a month after it was supposedly being downloaded on his computer. One of these detectives admits he has watched 2 of the 3 child porn videos before. It was strange that the ones engaged in the police raid in 2012 were all local police who knew Brian from the town hall meetings. There was not one from the US FBI or from the NC SBI.

I decided in 2017 to go on my yahoo email account and pick some of Brian's Emails that he emailed to us from May – August, 2012 to see if it shows his IP address anywhere. I clicked on "View Raw Message". It tells the number of the IP address where the email message was sent, and we copied the proof that from May – August, 2012, Yahoo showed us the exact IP address that the Mayodan, NC police department had in their police report. We also have copies of emails Brian sent to the Rockingham County, NC sheriff, town of Mayodan, town of Eden and town of Reidsville, NC from May – July, 2012 with this same IP address in those emails. In fact, they got a search warrant based on that very same IP address. They did not get the search warrant from a judge in the County where Brian was living, they went to Winston Salem, Forsyth County, NC to get a search warrant for Mayodan, Rockingham County, NC. Then we find out from the NC SBI report that child porn was being downloaded on Brian's computer 11 days after the Mayodan town hall meeting July 20, 2012. Police remove all computers, hard drives, etc from Brian's house in Mayodan, NC on August 28, 2012, and the child porn continues being downloaded on Brian's computer until July 28, 2013. Brian continued saying he was innocent but was punished by remaining in jail without bond; without the insulin his body needed for almost 11 months in 2014. Then once Brian said he was guilty, he is now free to go home, yet was not allowed to leave the jail for 11 months so he could get the insulin that his body so desperately needed.

In April 2017 we sent some of our proof documents of Brian's innocence to an attorney in Raleigh, NC. She met with Brian, his mom and both grandparents. She felt like Brian had a good case and told us that she would look over the discovery for \$2,000 and give a report, and we would go from there. She felt like with all the information we had, Brian would have a good chance of proving his

innocence. Brian has been trying to get his discovery and another attorney has too in 2015 and 2016 with no luck. Brian has tried to get a copy of his confession tape from the town of Mayodan who has refused to let him have it. He has tried to get his discovery from the NC SBI, but they wouldn't let him have it either, so now finally we had an attorney who would get it for us. She called and talked to Brian's grandpa saying that after she talked to Brian's 2<sup>nd</sup> court appointed attorney, her boss decided they would not take Brian's case after all. Brian's grandpa then called Brian's 2<sup>nd</sup> court appointed attorney, and he said that Brian could not have the discovery, so Brian decided to take his FOIA case to court in Virginia, but that will take months with no guarantee that Brian will ever get his discovery. In 2016 he had done a FOIA request, but they did not send him his discovery or confession tape for him to use for his 2255. I told Brian that we have enough proof already to prove he is innocent and enough proof that both attorneys did not represent him or his constitutional rights.

Many times we eat lunch at 11 because of Brian's blood glucose going low, and I have had low blood sugar problems since I was a teenager. I could not see anything where they tested Brian's blood sugar or asked if he needed anything to eat or drink on the Mayodan, NC police report. On Saturday, July 2. 2017 my husband and I took Brian to McDonalds at about 11 because he said he needed to eat something and his mom had told us that he had a good breakfast that morning, and his blood glucose was good. My husband and I watched Brian from the time we walked into McDonalds and ordered our food. Brian was getting his drink and suddenly was smiling and in his own world. He acted just like alcoholics I have seen who were drunk and in their own world. I realized he had not put the lid on his drink correctly and was swaggering it back and forth. I reached out to get the drink, but he had already spilled some on his clothes. He talked just like he was drunk.

We tried to get him to drink quickly and quit talking, knowing that a seizure might soon follow, and his mom was not there at the time, so we would have had to call 911 if a seizure followed. We encouraged him to drink his drink. He knew his sugar was low and had poured himself a sweet drink (not the sugar free drink he usually gets). Finally he was able to get most of the drink down and had eaten some of his food, so we avoided a seizure. I told my daughter that in the frame of mind he was in, I could get him to sign anything, and he would agree to it. I can see how the police got a false confession from someone with autism and diabetes on August 29, 2012 which was probably going low at lunch time and the fact that he was still in shock from the police raid the day before. Any medical expert could testify to this as being a true statement.

During the time that Brian was in jail (Dec. 20, 2013 – Nov. 20, 2014) and on court days we knew Brian's confession was false and his statement about liking children was misleading because we are with Brian everywhere he goes, and the true fact is that he does not even like children, does not like being around them and thinks they are too loud, but his first attorney would not even let us or a professional see the Discovery and did not make the court aware of Brian's disabilities from the start of Brian's court case in 2014 nor did he try to get a professional in autism to testify or get a professional to check Brian's computer in spite of the fact that Brian, his family and friends kept insisting that Brian was innocent of knowingly downloading child porn. Brian's 2<sup>nd</sup> court appointed attorney told the judge that he showed the Discovery to Brian's family but did not reveal the fact that we did not have time to read it nor the fact that Brian's mom asked if there was child porn in Brian's netbook as he had told the police according to the police report, and when he checked, there was no child porn in Brian's netbook. He did not let us listen to the confession tape either, neither attorney did.

Proof we have that Brian is INNOCENT and had ineffective court appointed attorneys and was denied his constitutional rights as well as his disabilities rights to communication aids:

1. Brian attended Mayodan, NC town council meetings in **March, 2012; April, 2012; May, 2012; July, 2012.** (Videos and news articles on the Internet). (Child porn downloaded on Brian's computer **4 months after** the first Mayodan town hall meeting he had attended and **11 days after** Mayodan police chief removes him from the town hall meeting. Mayodan, NC police raid on Brian's house **5 months after** Brian attended his first Mayodan town hall meeting and **1 month and 19 days after** Mayodan police chief, Caruso removed Brian from the town hall meeting and after Brian made this video public and wrote articles about it on his USWGO web site and on other websites as well. Now Brian, his mom and 2 grandparents are facing this same police chief on **August 28, 2012** at the door of Brian's house and watching his crew removing Brian's and his mom's computers, hard drives, etc and going through his entire house for hours while forcing Brian and his family to stay on the front porch and telling Brian to fess up to downloading child porn before there is actually evidence that there is child porn on his computer. Brian told the police that he had a virus in his computer. **This information should have been submitted to the court by Brian's court appointed attorney showing that the police in the police report were familiar with Brian from Brian's attending town hall meetings and even speaking at 4 town hall meetings in 2012 before child porn was on his computer.**
2. Brian was writing articles about Mayodan town attorney and NC state senator, Phil Berger and Mayodan chief of police, Charles Caruso in **June, 2012 & July, 2012.** (Various Internet sites). One to two months after these dates (actually according to this police report, child porn was being downloaded on **July 20, 2012** on Brian's computer) there is a police raid by the local police at Brian's house and removal of all of these USWGO articles and videos from his house when the police removed all of Brian's computers, hard drives, etc. on **August 28, 2012** as witnessed by Brian, his mom and 2 of his grandparents and as stated on the Mayodan police report dated Aug. 22, 2012; Aug. 28, 2012 and Aug. 29, 2012. Those involved in this police raid were the Mayodan police department, Mayodan chief of police, Charles Caruso. Phil Berger Sr's son, Phil Berger Jr. who was the Rockingham County District Attorney at the time, ran for US Congress in 2014, lost that race and is now a state of North Carolina judge. His name is all over the NC SBI discovery report from 2013. His (Berger's) assistant at that time was Melody Bridge. She ran for the office of Rockingham County District Attorney in 2014 and lost. Her brother, Robert Bridge was the only policeman outside of the police in the Mayodan police department who was involved in the search warrant, police raid and interrogation of Brian and his mom the next day after the police raid. He was a policeman from Reidsville, Rockingham County, NC at the time. He was the one who hacked into Brian's computer a week before they got the police raid by going to the Rockingham district attorney's office, then going to another county and getting a judge (Forsyth County) to sign this police raid in Rockingham County and said in the police report that he was familiar with the child porn that he claimed was on Brian's computer according to the Mayodan, NC police report. **Was there a conflict of interest here? This should have been submitted to the court by Brian's court appointed attorney. Is it lawful for the police to hack into a computer based on an IP address before obtaining a search warrant?**
3. Charles Caruso removed Brian from the Mayodan town Council meeting on **July 9, 2012.** (Video proof and articles on the Internet). I was not at this meeting but saw the video of the

Mayodan town hall meeting from the Rockingham Update YouTube channel. I saw from this video that police chief, Charles Caruso was sitting behind Brian the entire hour of the meeting and watching Brian and saw and heard Brian talking at the town hall meeting right at the beginning of this video. According to the Mayodan police report, child porn was being downloaded on Brian's computer **11 days** after this town hall meeting and **1 month and 18 days** before the police raid. The police raid where Brian, his mom and 2 grandparents (me and my husband) saw this same police chief at Brian's door and stood on the front porch listening to him telling Brian to fess up to child porn and hearing Brian telling the police that he had not downloaded child porn, but there was a virus on his computer. I saw this video on Brian's USWGO YouTube page and have a copy of it. **Proof of this should have been submitted to the court by Brian's court appointed attorney.**

4. Brian got video of this and put that video on his USWGO News web page on **July 10, 2012**. (I saw this video on Brian's USWGO YouTube page and have a copy of the video. I also read the articles Brian put up about this experience and have copies of those). According to the Mayodan police record, child porn was being downloaded on Brian's computer **10 days** after he put this video up and the Mayodan police raid was **1 month and 17 days** after. **A copy of this 1 minute video should have been submitted to the court by Brian's court appointed attorney.**
5. Brian wrote an article on Alex Jones' website on **July 12, 2012** that the Mayodan police were harassing his mom now, and he was afraid the police would try to find a reason to arrest his mom or him. (On the Internet on the Alex Jones' website). Brian called me on that day and told me about it. I also saw the article and have a PDF copy of it. According to the Mayodan, NC police report, child porn was being downloaded on Brian's computer **8 days later**, and the police raid where Mayodan police chief Charles Caruso is now standing on the front porch of Brian's house, going in and out of his house for hours is **1 month and 16 days** later. **This proof should have been submitted to the court by Brian's court appointed attorney.**
6. Brian started an event on **July 14, 2012** on his USWGO public Facebook page for other news reporters to go up to Senator Phil Berger and ask him some questions in a lawful way. (Copies of the Facebook photos and articles). He said that the police chief told him not to ever go up and talk to the NC senator again. According to the Mayodan, NC police report, child porn is being downloaded to Brian's computer **6 days later** and the police raid where Mayodan police chief Charles Caruso is now standing on the front porch of Brian's house, going in and out of his house for hours is **1 month and 14 days** later. **This proof should have been submitted to the court by Brian's court appointed attorney.**
7. According to the Mayodan, NC police report and the NC SBI Discovery, child porn was being downloaded on Brian's computer on **July 20, 2012**. (Mayodan, NC police report and the NC SBI Discovery report). Saw both and have copies of both. On this one point, the Mayodan, NC police report and the NC SBI discovery report agree on the date that child porn was first put in Brian's computer. Did Brian put it there or did a hacker put it there? **This is a question 2 attorneys should have been asking.**

If you look back at Brian David Hill's pro-se Motions to the court on Case 1:13-cr-00435-WO Document 29 Filed 09/09/14 Page 4 of 9 under "Alibi Statement 2012", Brian is telling the court about all of his political activities, meeting at the Mayodan town hall council meetings, talking at the town meeting, giving the petition to

the Mayodan attorney in May, going on vacation in April to West Virginia and Ohio and in May to New Bern, NC, interview with U.S. Presidential Candidate, Virgil Goode in May (This interview is on his U.S.W.G.O. YouTube page), going to the Bilderberg protest in Virginia in June (as a reporter with videos about this on his U.S.W.G.O. YouTube page). July 4<sup>th</sup> interview with Patrick Henry Jolly at Red Hill in Virginia; Then he talks about going to the Mayodan, NC town council on July 9<sup>th</sup> and was threatened and intimidated by the Mayodan police chief and wrote articles about that on his U.S.W.G.O. Alternative News website. He wrote that his mom had the proof and more records if someone would contact her. He knew he was innocent of down loading child porn on his computer but for some reason told the police during the interrogation on August 29, 2012 when they asked him at lunch time how long had he been downloading child porn, he said "About a year or so". He still believed that they had found child porn in his computer for a year and was explaining that he was into other things in that time.

We didn't discover until **January, 2015** that this started being downloaded to Brian's computer on **July 20, 2012** according to the NC SBI discovery record and according to the Mayodan police record. He is telling them about all of the nature photos he has taken as a hobby and put on his hard drives. I am a witness to the fact that the photos he takes are very, very large, and they take up a lot of space. On one vacation he used up all of his hard drive space and used over 100 GB on our hard drive. When you click on these photo files, you can't see any pictures. They have to be changed to jpeg to see them. He saves all of his photos in the KDC (raw) format and in the jpeg format. He has always told us that the photos are better that way, and his photos are always better than his mom's, mine and my husband's, so I just found out from this website: Arcsoft.com/topics/photostudio-darkroom/raw-jpeg: under the topic "Raw vs JPEG" that the file size of jpeg is much smaller than the raw format, but the quality of a jpeg file generated from raw format is much better than the one directly shot in jpeg. Photography has been a hobby of Brian's for many, many years. He loves to take nature photos (animals, flowers, butterflies, trees, sky, etc. and historical photos from many of our outings & vacations. He does not want any person (adult or child) in his photos.

Point I am making is that this is further proof that Brian was not knowingly putting child porn in his computer because he was trying to give alibis for **April – July 9<sup>th</sup>** that he was interested in other things and was very busy, so he was not aware in **September, 2014** of the download dates of the other type files that he has never seen, but according to the Mayodan police and the NC SBI they are on there. He didn't know those dates until **January, 2015**. We learned that they were put on his computer for 11 months during the time the police and NC SBI had his computer (11 months after the police took Brian's computer from his house). **Two attorneys apparently ignored everything** Brian told them even after his family sent the PROOF to him to put in the court records about his case, **and they both had in their possession** at the time a copy of the Mayodan, NC police report and a copy of the NC SBI (from Greensboro, NC) discovery report. I did tell Brian's 2<sup>nd</sup> attorney, Coalter in Oct. 2014 and Sept. 2016 that Brian always kept 2 hard drive computers attached to his laptop computer every time he visited us in VA and when we went on trips because of all the space his photos took and was constantly downloading from his camera SD card to his computer, then to his hard drives, and we all

told him that Brian was innocent. Here's an example of what a hacker would see if he or she was in my



computer:

What a hacker would see if he or she had access to my computer, and I had 2 hard drives and a USB stick on my laptop computer:



8. Mayodan police Detective Brim and Reidsville police Detective Bridge hacked into Brian's computer on Aug. 22, 2012 to view child porn videos that one of them admits that he had seen them before. (Mayodan police report). This was done according to their own report a week before they obtained a search warrant from another county. **Shouldn't the court appointed attorney be asking some questions about this?**
9. Relationships between those involved in Brian's case: Mayodan town attorney is also the NC pro-tem senator: Phil Berger Sr. His son (Phil Berger Jr.) was the Rockingham County District Attorney in 2012 & 2013. His name is all over the NC SBI Discovery papers which says that Brian's victim is the state of North Carolina (not children). There are no photos in the discovery (Brian, his mom, Roberta Hill; his grandparents: Ken & Stella Forinash saw & read the Discovery in January, 2015). Phil Berger Jr. was running for US Congress in 2014 but lost. Detective Bridge of Reidsville (The one who was part of the police raid and the interrogation of Brian and his mom). He is the brother of Melanie Bridge who was the Rockingham County Assistant District Attorney in 2012 & 2013 working with Phil Berger Jr and was running for Rockingham County District Attorney in 2014 but lost. Detective C.T. Brim was working under Mayodan police chief, Charles Caruso. C.T. Brim is listed several times on the Mayodan police report as his own boss. Anyone can type descriptions, where are the child porn photos in the NC Discovery papers? FBI always includes these in their report as proof (blurry but still photos). **Shouldn't the court appointed attorney have done an investigation into all of this? Shouldn't he demand proof that there really was child porn in Brian's computer and why wasn't there any photos of child porn on the discovery? He should have had an expert appointed to check Brian's computer to make sure there was actually child porn in Brian's computer. Was there a virus in it like Brian said? Did a hacker actually put child porn in the computer like that threat email from April, 2013 said?**

10. On August 28, 2012 both detectives went to the Rockingham County District Attorney's office in Wentworth, NC to get help with a search warrant based on Brian David Hill's IP address; then instead of going to the Rockingham County Judge, they went to Winston Salem, NC and got a judge in Forsyth County, NC to do a police raid on this Rockingham County house in Mayodan, NC. My husband and I were witnesses to this police raid. There was no one there from the US FBI nor from the NC SBI. Charles Caruso, Mayodan police chief was telling Brian to "Fess up to downloading child porn". He is the same one who removed Brian from the Mayodan town hall meeting on July 9, 2012. There was Rockingham County Assistant District Attorney, Bridge's brother from Reidsville, NC police department and the other police involved in the police raid were from the local town Mayodan, NC police department. Brian's mom told the police that day that Brian had autism and brittle diabetes. Brian told the police when they were asking him about the needles they found that these were his insulin syringes. He told them he was diabetic and required insulin shots. **Why didn't Brian's court appointed attorney look into this and ask questions about it?**

11. Learned in 2017 that Brian's IP address was in his emails from May – August, 2012 and have copies of emails he mailed to the Rockingham County, NC sheriff, towns of Mayodan, NC; Eden, NC and Reidsville, NC during that time in 2012 with the exact IP address listed in this police report. Brian, his mom and both grandparents have caught the Mayodan police in many lies (I told the judge that on September 30, 2014). **Why didn't Brian's court appointed attorney after finding out that Brian had been writing articles & attending town hall meetings before the date that they (Mayodan police report and NC SBI report states that child porn was on Brian's computer) question how the police found it out in just one month – how did they get the IP address? Why didn't this court appointed attorney ask Brian's family to check to see if emails Brian had been sending to Reidsville, Mayodan, NC town halls had that exact IP address from the emails Brian had sent to his family from May - August, 2012? Is there a chance that the police obtained that IP address from emails Brian had sent to them?**

12. Detectives told Brian's mom to come down to the Mayodan, NC police station the next morning to get the inventory of items removed from their home. On August 29, 2012 both police detectives questioned Brian's mom by herself about child porn and asked her questions about Brian's autism. Then at 11:20 – 12:20, they questioned Brian by himself for an hour at lunch time, disobeying all (Americans with Disabilities Act) laws pertaining to communication aids. Brian was diagnosed with type 1 insulin dependent Diabetes at the age of 2 (Brittle diabetes later), autism at the age of 4 and OCD. All are covered under the Americans with Disabilities. An attorney appointed by the court should know all about the laws pertaining to the Americans with Disabilities' Act). Knowing Brian had brittle insulin dependent diabetes and autism, why didn't Brian's attorney bring up the fact that according to the police report which states that Brian is disabled, why didn't the police offer communication aids which are badly needed for someone with autism when being questioned by 2 police the next day after a traumatic event and at lunchtime without offering any relief for Brian. (Example: "Are you OK? Let's have you or your mom to check your blood glucose to see if you need something to eat before we question you. We know that you are a brittle diabetic as your mom told us yesterday and as we saw and took a photo of your insulin needle at your house, and you explained to us that you are diabetic". Since you have autism, is it ok if your mom is here with you when we ask you some questions?"). Brian's health and the time of the day that he was questioned according to the police report should have been covered by his court appointed attorney who should have explained more to the court

from the very beginning about "autism" (echolalia) and "brittle type 1 insulin dependent diabetic".

13. They asked Brian "What is your computer usage and knowledge"? according to the Mayodan, NC police record. Brian's answer: "I download movies, programs and music". They kept asking him questions about the files he downloaded, then they changed the files to "child porn". How long have you been downloading and viewing child pornography? Brian's answer "About a year or so". Is there any other child pornography on any other computers? Brian's answer "Yes. I have a Netbook at home that you didn't get". Then there was a repeat of the terms the police detective had in the search warrant that Brian had been reading the day before during the police raid (echolalia). And I'm sure that in the confession tape the police were talking about how everyone loves to go to Walmart and look at pretty girls (age 12 or 13). They totally ignored the fact that Brian told them at the beginning of the interview that he was innocent and had a virus in his computer. Medical professionals know that people with autism can give false confessions and misleading statements. The 2 police detectives got this False confession and misleading statements as a result of Brian's disabilities. His blood glucose must have been low. Ask a diabetic professional what happens to someone with brittle diabetes when the police question them at lunch time without having their glucose checked and without giving them a sweet snack. There is a lot of valuable information from professionals on the Internet proving that people with autism will give false confessions. In Brian's case knowing what was at stake, his court appointed attorney should have gotten an expert medical person to either testify or write up the important documents the judge and jury needed to see about autism, OCD and brittle diabetes being questioned alone by 2 police at lunch time the day after such a traumatic event causing echolalia, false confession and misleading statements.
14. Comparing the Mayodan, NC police report with the NC SBI Discovery record: The NC Discovery record: "454 files had been downloaded with the Emule Program between July 20, 2012 and July 28, 2013. Mayodan police according to their report said they picked up Brian's computers during the police raid on August 28, 2012. When they asked Brian how long had he been downloading and viewing child pornography? Brian's answer: "About a year or so". From July 20, 2012 to August 28, 2012 is 38 days. The remaining 11 months was when the Mayodan, NC police and the NC SBI from Greensboro, NC had Brian's computers. False confession (Autism and brittle diabetes being questioned alone at lunch time a day after the traumatic police raid by 2 police who disobeyed all ADA laws). Why didn't Brian's court appointed attorneys bring out these valuable dates proving child porn was being downloaded on Brian's computer 11 months after the police confiscated Brian's computer and started being downloaded a few days after Brian was writing public articles on his USWGO alternative web page and on other websites about the Mayodan, NC police. According to the police report, Brian told them he was downloading it for a year or so. This proves Brian's statement to be false and misleading statements. His answer did not match the NC SBI Discovery proof.
15. We met with Brian's 2<sup>nd</sup> court appointed attorney in October, 2014. Brian's mom asked him if there was any child porn on Brian's Netbook computer. Brian's family checked the Mayodan, NC police inventory of items removed from Brian's house and found the serial number. Attorney Coalter checked the serial number with the NC SBI Discovery report, and he told us (Brian's mom and grandparents) that there was no child porn on Brian's Netbook computer. Police asked Brian according to the Mayodan police report on August 29, 2012, "Is

there any other child porn on any other computers"? Brian's answer: "Yes, I have a Netbook at home that you didn't get". Police went back to Brian's house on Aug. 29, 2012 and picked up the Netbook. **Another False confession (Autism, OCD and brittle diabetes being questioned alone at lunch time a day after the traumatic police raid by 2 police who disobeyed all ADA laws).** Why didn't either of Brian's court appointed attorneys check Brian's confession in the police report with the dates from the NC SBI Discovery report? Why didn't they check to see if there really was child porn listed on the NC SBI Discovery report from his netbook? Why didn't they check to see if there were actual photos shown from the NC SBI Discovery report and show their findings to the court? Brian, his mom, 2 of his grandparents (me and my husband) did not see one photo on that discovery report.

16. Brian went to visit his grandparents in Martinsville, VA and never went back to Mayodan or to his house again. They had lived in this same house in Mayodan, NC for over 7 years. That proves how traumatic this was for Brian to never ever want to go back to his house again. Police had touched all of his things (Brian's OCD), he didn't want to touch them either, so he basically lost everything he had on that day, all of his possessions.
17. **On April 7, 2013 and April 20, 2013** Brian (admin at USWGO) got 2 threat emails from someone from a tormail email account. Whoever sent this email admitted to hacking into Brian's computer and putting child porn in his computer and hard drives. They threatened setting up Brian's friends (other alternative news people) with child porn and said they knew of people in the NC SBI who would make sure that he is convicted. In **July, 2013** some of these threats were carried out when we saw on the Internet that the person who started We Are Change had a child porn attempt made on him via email. He contacted Attorney Sue Basko to ask what he needs to do. He made this public to warn others. Brian is part of the We are Change, NC and always put that on his emails. Brian and this person had attended the same event in Virginia in June, 2012 (Have proof from a video someone put on YouTube – and both Brian and this person are on the video). Then 2 others came forth with another child porn attempt via email. This time it is one of Brian's friends, Dan Johnson (Started PANDA – people against the NDAA) whose name was listed in the threat email and another person whom Brian had met at the event in Virginia and had a photo taken of Brian with this person, Rhodes started "Oath Keepers". Then in **November, 2013** we saw proof that more people had child porn set up attempts made on them: Alex Jones radio talk show host and "Prison Planet" web site (Brian and his mom met Alex Jones in person in Virginia in June, 2012, and Brian has a photo of Brian with Alex and Stewart). Many other names were mentioned of Alternative News People in November, 2013. After Brian was arrested, Brian's family found these threat emails in his USWGO email account. He had told us about them, but Brian has received many threats from 2009-2012, so we thought this was just another empty threat, but it has proven to be a true threat. We sent a copy of this to Brian's court appointed attorney. He ignored it just like he ignored all proof of Brian's innocence, so Brian's family sent these 2 threat emails to Brian in September, 2014 for Brian to present as proof to the court. **Brian's court appointed attorney should have presented these 2 threat emails to the court along with the proof we sent that Brian's friends and other alternative news people had set up attempts made on them as well.** Attorney Sue Basko sent all of this by email to Brian's court appointed attorney and the prosecution attorney in **December, 2013** – right after Brian was arrested and told them that Brian has autism, gave a false confession and that others (Alternative news people) like Brian (USWGO) had child porn set up attempts made on them. She sent proof about these child porn attempts to them.

18. One day I was reading the threat email and wondered why they had sent this to Brian at that time and decided to put in "emule virus" on google search. Right away I found out that on **April 6, 2013**, Brian put this video on his USWGO YouTube page: "Emule virus type has infected people around the entire world". The date of his first threat email was on April 7, 2013, then on April 20, 2013 Brian got a second threat email that he was going to regret being an investigative news reporter. **This is more proof that Brian's court appointed attorney should have shared with the court (The reason Brian got the threat emails was because he put a one minute video on his USWGO YouTube page about the emule virus).**

19. Brian had not heard anything from the Mayodan police by **November, 2013**. It had been over a year since the police raid and since the police got all of Brian's computers with his vacation photos, his USWGO articles and videos of interviews Brian had with important people and had put some of these videos on his USWGO web page. His interview with Patrick Henry Jolly at Red Hill, VA on **July 4<sup>th</sup>, 2012** was still in his computer, and he hadn't had a chance to put that important interview on his USWGO YouTube video site yet. He hired an attorney's office for \$75.00 in Eden, Rockingham County, NC close to Mayodan to write to the police chief asking for them to return his and his mom's computers and accessories, all items removed from their home in August, 2012. Police chief wrote back to this attorney that there was a "secret" indictment on Brian. Brian's friends told Brian to contact Attorney Sue Basko for help, and they told Sue about Brian. **Court appointed attorney should have given a copy of these letters from this attorney's office to Brian showing proof that even though Brian gave a false confession on Aug. 29, 2012, Brian was free from that date until he hired this attorney in November, 2013. Brian had not gotten into any trouble during that year and even had his own Internet in his own name for a year while in his own apartment in Martinsville, VA.**

20. In **December, 2013** Brian received a phone call from the Mayodan police detective who had done the police raid on Brian's house on Aug. 28, 2013, removed the computers, hard drives and computer accessories, etc from Brian's house, then under false pretense interrogated Brian's mom the next morning and Brian at lunchtime, breaking the ADA laws and got a false confession from Brian, then let Brian leave to be free for over a year. Brian was not available to talk to him, so he told Brian's grandpa that Brian could come to the Mayodan police station on **Friday, December 13, 2013** to pick up his items. He said that they received that letter from Brian's attorney, and they weren't going to bring charges. He told Brian's grandpa that Brian would have to come and pick them up so they could match the items with the inventory records. Brian wrote some emails to the NC SBI that he was glad that now the police were doing the right thing and giving him back his computers. Then he talked to Sue Basko, and she told Brian that she checked Pacer, and there was a warrant out for his arrest, so at this point there was nothing she could do to help. She told him to get an attorney. He got upset, wrote on his USWGO facebook page that he was going to kill himself. We called up some professionals to get help as to what to do. The advice was to admit him to the hospital, so we did that and while at the hospital told them that Brian got upset after someone told him there was a warrant out for his arrest. Police at the hospital checked and couldn't see any warrants in Virginia, North Carolina or anywhere else. Brian told the doctor at the hospital that he did need help and would stay. The next morning my husband called the Mayodan police to tell them that Brian will have to come later to pick up his things. This same police detective told Brian's grandpa that they didn't have anything, and there was a warrant out for Brian's arrest. My husband called the Henry County, VA sheriff's office to have them check, and they checked and said that there was no arrest warrant anywhere. We got a call from someone who said that he was from the department of home land security in NC. Brian's grandpa told

this person too that Brian was in the hospital. They arrested Brian from the hospital on December 20, 2013. We found out that even though the nurse at the hospital gave the person from homeland security Brian's insulin and a prescription and even though we came to the jail the very next day and gave the receptionist copies of Brian's medical records with all of his disabilities, medicine list and doctor's phone numbers to give to the jail nurse, Brian was not given any insulin for a few days. **Court appointed attorneys should have checked and made sure that Brian was given all of the insulin his body needed in jail**, since apparently neither one fought for Brian to come home and stay at home where his Medicaid insurance was, where he could get his insulin, rest and his proof that he needed to prove his innocence. **Neither attorney would check to make sure that Brian was ok on court days and given enough insulin from the jails.**

21. Brian was free from the date of his false confession for 15 months and didn't get in any trouble. Had not been in any trouble before the police raid, and now he is removed from the hospital and is told "no bond". **Why didn't his court appointed attorney make sure that he would come home, so he could have gotten all of his "proof" together and could have gotten all of the insulin he needed because his insurance was in Virginia.** He was a disabled adult who had never before gotten in any trouble with the law before and after this, and **he was on a disabled medical waiver in Virginia where he got 40 hours of paid home care each week.** Had been on this program for a year. Brian's court appointed attorney never presented any of this information to the court.
22. Going back to the June 4, 2014 Status Conference, again Brian's court appointed attorney, Placke let Brian down, acting more like the prosecuting attorney than the defending attorney. The judge set a date of June 9, 2014 (5 days later for Brian's trial). Placke did not object to that date, did not provide any evidence in Brian's defense, then checking in on pacer court records on the date of June 4, 2014 Case 1:13-cr-00435-WO Document 18 Filed 06/04/14 called "**Motion to Continue Trial**". It appears that Placke's boss filed this with the court where he talks about how the court needs to extend this time due to the fact that Placke would be going to Massachusetts on vacation to attend his son's college graduation from June 5 – June 8, 2014 and would not be able to meet with his client. "The Defendant submits that failure to grant the requested continuance would deny counsel for the Defendant reasonable time necessary for effective preparation, taking into account both the exercise of due diligence and the Defendant's condition, as detailed in the report filed with the court on May 8, 2014, that the ends of justice are best served by granting this continuance". See Title 18, United States Code, Sections 3161(h)(7)(A), (B)(iv). The Defendant hereby moves for an order continuing the trial of this matter to the July 2014 Criminal Term". By Louis C. Allen III, Federal Public Defender. This was denied by the judge due to the fact that Attorney Placke did not object to this date when it was given at the June 4<sup>th</sup> court hearing.
23. **Found out on June 9<sup>th</sup>, 2014 that Brian's court appointed attorney had nothing to offer the court in Brian's behalf to prove either that Brian is innocent or information that would prove "reasonable doubt".** What happened to all the things we sent to him? We kept asking him if there was anything else we could send, and never once did he ask us for anything. Knowing all of Brian's disabilities, he never once asked to meet with Brian's family in person in his office to discuss the case. He had no witnesses for Brian even though many had come forth offering to be his witnesses. Told Brian's grandparents that we could not be his witnesses and told his mom the same thing. When we were asking questions about the NC SBI discovery, he told us on the phone that we could not see it and sent an email telling us the

same thing and refused to answer any of our questions about what was in the discovery in January, 2014. He told us that the jury would not know that Brian had autism (which caused the false confession in the first place). Then even though Brian was determined to prove he is innocent, he talked Brian's family into telling Brian to plea "guilty" to child porn confession, so he would get out of jail because the prosecution had the guilty tape as proof and the discovery, and if Brian tried to fight this, to continue saying he was innocent, the jury would find him guilty, and he could get 20 years in prison. The prosecution offered him a good deal, according to Brian's court appointed attorney of "Time served in exchange for the guilty plea".

24. The court appointed attorney did not tell us that he would have to register as a sex offender, be on probation for 10 years. He did not tell us that the prosecution would have to prove that Brian had knowingly downloaded child porn; they had to prove that there were pictures on the discovery. Actually, this attorney acted more like the prosecuting attorney than the defense attorney in more ways than one.
25. Found out from Brian's court appointed attorney in September 30, 2014 that he had been ignoring all of Brian's witnesses who had contacted him about Brian being innocent. He had ignored Attorney Sue Basko's emails about the child porn set up on alternative news people, about Brian's autism and that Brian was innocent.
26. Why didn't either of Brian's attorneys bring it to the court's attention the fact that on the Mayodan, NC police report #65, the police detectives admitted that they were familiar with 3 child porn files that they claimed were in Brian's laptop computer, yet according to the government "*none of the children have been identified as part of a known series by the National center for Missing and Exploited Children (NCMEC).*" (Document #33, Filed 09/16/2014, Page 6 of 26).
27. In 2017 I was sending the emails that Brian's attorney had sent to us to Brian's mom and found out on the ones where he answered our emails where we had put attachments in the emails for proof, he had been deleting all of our attachments. Don't know what he did with the faxes we sent him. We could see the attachments in our sent emails to him, but on his replies there were notes from Yahoo email that he had deleted each attachment we sent to him.

After Brian got out of jail in November, 2014, he has tried to find a lawyer who would help him with his case and has contacted universities about the Innocence Project. He was accepted by the Wake Forest University School of Law innocence project. He sent them a lot of proof, and we waited a long time, then after they sent him that letter saying they would represent him and got his proof for months and did nothing, then they sent another one saying they wouldn't. That's when I started doing more research into this university and found out that Phil Berger Sr and his two sons graduated from this university and are still part of it. I just found out that Brian's court appointed attorney, Eric Placke is a Supervising Attorney with the Litigation Clinic at Wake Forest University School of Law. Then I was reading an article about Phil Berger Sr. and his wife and 2 sons: "He and Pat headed for law school at Wake Forest University, their sons, Phil Jr. and Keven in tow. Pat Berger got a job with the university". All of the Berger family is still associated with this university which makes it impossible for Brian to get any legal help in NC. That's the main reason that we have finally decided to try to help Brian and go ahead and do the 2255 with our proof that he is innocent and that the court system in NC denied him all of his constitution rights and all communication aids for Americans with disabilities, and we decided to proceed without an attorney. When you read about all of Placke's experience as

an attorney, one can't help but wonder why he did nothing to help Brian and ignored all of our information about Brian writing articles about and knew Phil Berger Sr from attending Mayodan town hall meetings in 2012, and now we find out that Placke is associated big time with the Wake Forest University along with all the Bergers.

## Senator Phil Berger - News & Events - Wake Forest University

[news.law.wfu.edu/.../senator-phil-berger-82-is-called-likely-the-most-powerful-politic...](http://news.law.wfu.edu/.../senator-phil-berger-82-is-called-likely-the-most-powerful-politic...) ▾

May 16, 2014 - After graduation, he worked his way through community college, which he ... Berger first practiced law in Charlotte, then clerked for a year at the ...

### Eric D. Placke

Office of the Federal Public Defender, Greensboro

Eric D. Placke is an Assistant Federal Public Defender with the Office of the Federal Public Defender in Greensboro. His principal area of practice is federal criminal defense. Mr. Placke is a Reserve Appellate military Judge with the Air Force Court of Criminal Appeals and a Supervising Attorney with the Litigation Clinic at Wake Forest University School of Law. He received his B.A. in 1983 and his J.D. degree in 1986, both from the University of Arkansas.

We finally contacted an attorney in Raleigh in April, 2017 who did not attend the Wake Forest University School of Law, and after we sent her proof, she thought Brian would have a good case to prove his innocence, but after she talked to Brian's 2<sup>nd</sup> court appointed attorney in Greensboro, NC, she decided not to take Brian's case. We thought his 2<sup>nd</sup> court appointed attorney would help Brian with his 2255 after we saw the dates on the NC SBI Discovery report in his office in January, 2015. We (Brian, his mom and 2 grandparents) visited him in September 2016 to see if he would represent Brian. That's when we found out he could not because there would be a conflict of interest. Brian would have to prove that both attorneys were ineffective, and he told us that he would have to be a witness against Brian, so both attorneys who did nothing to help Brian prove his innocence would now work against him if he does try to fight to prove he is innocent and has the proof. We told Scott Coalter about the dates of download on the discovery. He is fighting harder to make sure that neither Brian nor any other attorney gets possession of the discovery.

All of my life, I was taught to be a law abiding citizen and to respect the laws of our land and have taught this to my children who have taught it to theirs. I was taught that police are there to help us and the courts are fair. If I had not experienced what has happened to my grandson and others, I would still believe this. I just hope that with our new president things in our country and the court system will improve. For the person or persons who have put this filth on my grandson's computer or who have claimed to put this filth on it and who have caused him so much pain for the past over 5 years, this person or people will face God with this and will personally experience his pain and the pain they have brought needlessly to others as well. Brian has not had a fair court experience and has become a victim of our court system in the state of North Carolina. I have personally watched for years all of his constitutional rights being denied him as well as the laws for people with disabilities by the police in Rockingham County, NC; the jails in Forsyth County, Guilford County and Orange County, NC as well as Butner Prison and the court system in Forsyth County and Guilford County, NC denying him all pro se motions by claiming that he had an competent attorney. Court records and other records have proven both of Brian's court appointed attorneys to be ineffective and doing nothing to help him, acting more like the prosecution attorneys than the defending attorneys and denying him all of his constitutional rights and rights as a disabled American citizen by denying him his communication aids as a disabled person, not providing the expert witnesses needed in his case and not proving to the court that due to his severe disabilities he needs to go to his home in Virginia

where his insurance, Medicaid medical waiver support and daily insulin requirements would be provided while he was waiting for months for trial (innocent until proven guilty), and their part in not making sure that the jails provide him with his insulin on court days and making sure that the jails provide insulin required by his body for 11 months in 2014.

My prayer to God is that now the court will realize from all the proof and witnesses records he has provided in this 2255, that he will be exonerated, and that the court will realize that he is a law abiding citizen who gave a false confession and misleading statements in 2012 due to his disabilities and being set up and not giving the communication aids the law requires for a disabled citizen (autism and OCD), and that was the reason the police who questioned Brian at lunch time the day after such a traumatic event got the false confession and misleading statements: (police raid by local Mayodan, NC police where the police chief kept telling Brian to confess to child porn possession in front of his mom and grandparents, and the local police removing all of his computers, phones, photos, vacation photos, USWGO articles and interview videos, etc. – and will look at the dates and facts right before the police raid and the lunch time interrogation for someone with brittle diabetes and with all the proof Brian has provided); that the court system will free him of all the pain he has experienced from August, 2012 to now on a daily basis. People (like his last court appointed lawyer and others) are still working against Brian, making sure he has no attorneys to take his case and making sure that he does not get access to his NC SBI discovery report and confession tape to have a professional to examine. He is still fighting this in a court in Virginia under the FOIA laws. He needs to be exonerated from a crime he did not commit and be free to enjoy what is left of his life. He needs to get off of the sex registry because he is innocent, is a virgin and had this set up attempt with someone hacking into his computer and into the hard drives which were attached to his computer possibly due to his political views and his public articles and investigative reporting on his USWGO web page. After this experience, he plans to never do anymore public articles again and to be a lot more careful with his computer, making sure he has a good antivirus protection, etc.

I declare the above is true and correct to the best of my knowledge.

**I declare under penalty of perjury that the foregoing is true and correct.**

Executed on Nov. 7, 2017

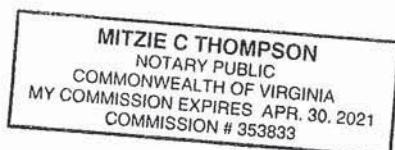
State/District of Virginia  
City/County of Martinsville / Henry Co  
The foregoing instrument was acknowledged before me this 7  
day of Nov, 12 Stella Forinash

Signed Stella B. Forinash

My commission expires: 4.30.21

Stella Burnette Forinash  
(Brian David Hill's maternal grandmother)

Home #: (276) 632-2599  
916 Chalmers Street, Apartment A  
Martinsville, VA 24112



\*\*\*\*\* NEED TO DATE THIS & GET A NOTARY TO WITNESS THAT I'M THE ONE WRITING THIS WITH MY PHOTO ID \*\*\*\*\* This covers 38 pages of written report from Brian David Hill's key witness, Stella Burnette Forinash. This last page is for the Notary stamp.

*Stella B Forinash*

*Notary signed on Nov. 3, 2017  
on page 37  
S. B. F.*

# **EXHIBIT 51**

**For Federal criminal case**

**-- BRIEF / MEMORANDUM IN SUPPORT OF  
BRIAN DAVID HILL'S "MOTION UNDER 28  
USC § 2255 TO VACATE, SET ASIDE, OR  
CORRECT SENTENCE BY A PERSON IN  
FEDERAL CUSTODY" - DECLARATION,  
ATTACHED EXHIBITS, AND BRIEF IN  
SUPPORT OF THIS MOTION --**

**United States of America v. Brian David Hill  
(Brian D. Hill) (formerly USWGO Alternative  
News)**

**Criminal Case Number 1:13-cr-00435-1**



**(Notarized) Declaration of witness Kenneth R. Forinash in support of "BRIEF / MEMORANDUM IN SUPPORT OF BRIAN DAVID HILL'S "MOTION UNDER 28 USC § 2255 TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY""", for withdrawing guilty plea, or any other purpose**

**I, Kenneth R. Forinash, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:**

I have known Brian David Hill since December 2000. He has gone on day trips and extended trips with his mother, Roberta Hill, grandmother, my wife, Stella Forinash and myself numerous times. Due to his diabetes and autism he always stayed with us when we went on these trips. I have never seen him approach a child, or show any interest in a child. His main hobby was taking pictures of scenery, and he did not want any human in his pictures. He would get agitated when someone walked in front of him while he was taking a picture.

I tried helping his mother and grandmother find help for his autism while he lived in North Carolina and after he moved to Virginia. We had very little luck getting assistance from any groups in NC, but after moving to Virginia in September of 2012 he was placed on a Medicaid waiver immediately after applying due to all of his medical and mental problems. There is normally a 7 year waiting list for this waiver, but he was placed on it right away. This waiver made it possible for someone to be paid for 40 hours of assistance and respite for Brian per week. In addition to this waiver, there were also individuals from EHS Support Services LLC that would take him on hikes, and to the YMCA. They also made it possible for him to see a counselor for his OCD problems.

In the Presentence Investigation report, there is never a mention of the fact that Brian Hill's grandmother, Stella Forinash, and I were there during the whole time of the execution of the search warrant. We were told we could wait outside on the porch, in the hot August heat, and we remained there for approximately three hours with armed officers watching our every move and staying close enough to hear all we were talking about. We were told when they said we would have to leave the house that we all would be searched as we left the house, yet the only one they searched was Brian.

Under "The Offense Conduct," an officer supposedly told Brian "I don't want to take all this stuff if I don't have to. I also don't want to damage it in the process. So do you want to tell me what I should be focusing on, or do we need to take everything we see?" After making that statement, the officers then took everything they saw, and left certain items torn apart. They removed hard drives from desktop computers, removed the mother boards of some of them and left the mother boards on top of the tower. They left computer related items that they had torn apart strewn all over Brian's computer office in the basement of his house. The things the police have said about Brian and the things he said during the interrogation are completely different from the Brian David Hill I know, and from Brian's visits to our house and the trips we have taken together are two completely different people. Someone with Autism repeats words and phrases, this is called "Echolalia," it is literally the repetition of words and sounds a person has heard either recently or quite a while ago. Verbal people with autism are often echolalic, which means they do use words (and sometimes even use those words appropriately) - but their word choice is based on a memorized pattern. Brian has done this all his life, this is why he should have had an Autism advocate while being questioned. We have heard Brian memorize and repeat movies, word for word, and Alex Jones videos, speeches, etc.

We have caught the Mayodan Police Department in numerous lies. Detective Todd Brim lied to me on the phone in December 2013 when I talked to him and asked him when Brian could retrieve his items. He said there was no warrant issued for him and that he could come pick his inventory items up, then when I called back 2 days later to let him know Brian was hospitalized he informed me that there was an arrest warrant out for Brian. If we had taken Brian to Mayodan, he would have been arrested and for someone with Autism, expecting one thing and getting another, that would have been traumatic.

I overheard Roberta Hill, Brian's mother inform the officers that Brian had Autism, and one of the officers who stayed outside with us informed those that were conducting the search warrant about his Autism, yet they still questioned Brian with no advocate present. I also overheard Police Chief Charles Caruso tell Brian to "Fess up" because if you didn't do this, your mother will be held responsible while we were all standing outside on the front porch.

I am the father of 5 children, 14 grandchildren and 15 great grandchildren. I have always said I would not hesitate to let Brian be in contact with any of my grandchildren because he has no interest in children, and I know he would not harm, nor do anything to a child. They at times get on his nerves and he doesn't want anything to do with them. He ignores children when we are on outings and concentrates on nature photos and political agendas.

On April 17, 2017, I spoke with attorney John Scott Coalter of Coalter Law Offices by telephone at approximately 3:34 PM. The reason for my call was due to speaking with a different attorney pertaining to Brian Hill's case who thought she could help Brian prove his innocence, and she was influenced by what Mr. Coalter had to say about the case, and advised me that she would not be able to take his case or do anything for him. I asked Mr. Coalter how Brian Hill could go about acquiring the discovery files from his court case. His response was that according to the rules of the Middle District Court of North Carolina the defendant in a case cannot have access to their discovery. He said an attorney is the only person that can get the files, or the files could be destroyed, and that is the only disposition available for discovery files. I mentioned that several attorneys had told me that Mr. Hill could have access to his discovery, and he said he could send Mr. Hill the rule from the Middle District if he so desired. I thanked him for his time and ended the call. After we called Brian, he told us that he wanted a copy of those NC rules. I then called Mr. Coalter again and left a message to send that to Brian. Brian never received it.

I have read Roberta Hill and Stella Forinash's letters in support of Brian, and agree with all they have said in subject letters. I know for a fact that Brian is completely innocent of the charges against him. There is absolutely no doubt in my mind of this.

I declare the above is true and correct to the best of my knowledge.

**I declare under penalty of perjury that the foregoing is true and correct.**

Executed on Nov 3, 2017

Signed Kenneth R. Forinash

Kenneth R. Forinash, TSgt, USAF, Ret  
(Brian David Hill's grandfather)

Home #: (276) 632-2599

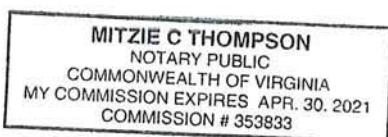
916 Chalmers Street, Apartment A  
Martinsville, VA 24112

State/District of Virginia  
City/County of Martinsville / Henry Co

The foregoing instrument was acknowledged before me this 7  
day of Nov, 2017, by Kenneth R. Forinash

MITZIE C THOMPSON  
Notary Public

My commission expires: 4-30-2021



# **EXHIBIT 52**

**For Federal criminal case**

**-- BRIEF / MEMORANDUM IN SUPPORT OF  
BRIAN DAVID HILL'S "MOTION UNDER 28  
USC § 2255 TO VACATE, SET ASIDE, OR  
CORRECT SENTENCE BY A PERSON IN  
FEDERAL CUSTODY" - DECLARATION,  
ATTACHED EXHIBITS, AND BRIEF IN  
SUPPORT OF THIS MOTION --**

**United States of America v. Brian David Hill  
(Brian D. Hill) (formerly USWGO Alternative  
News)**

**Criminal Case Number 1:13-cr-00435-1**

**U.S.W.G.O.**

**(Notarized) Declaration of witness Roberta Ruth Hill in support of**  
**“BRIEF / MEMORANDUM IN SUPPORT OF BRIAN DAVID**  
**HILL’S “MOTION UNDER 28 USC § 2255 TO VACATE, SET**  
**ASIDE, OR CORRECT SENTENCE BY A PERSON IN**  
**FEDERAL CUSTODY””, for withdrawing guilty plea, or any other**  
**purpose**

I, Roberta Ruth Hill, declare pursuant to Title 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

To Whom This May Concern:

I am Brian David Hill's mom, and I am a witness to many events that have occurred in Brian's case. I believe that my son is innocent of any wrong doing. The crime that he was accused of paints a different picture of my son, than who he is as an actual person.

I graduated from high school in 1985 and have had two years of college. I got my CNA (Certified Nursing Assistant) certificate and license in 1995. I attended several seminars about autism when my son was a child to learn more about how to assist him. I am also an author and I published a book about my son's life as a child and a young adult in the book *My Life in the Twilight Zone: Raising a Child with Autism*. In the last chapter of this book, I wrote about his three year work as an activist in which he exposed corruption in governments by writing articles, a blog and interviews on his YouTube channel. I recently wrote a book which was published in January 2017 that tells the details of Brian's case from my perspective as a witness. I wrote this book under a pen name and did not give out any names of anyone involved in his case, because I wanted to express what happened in a cautious matter for our safety. The book is called *Jailed With Autism* and I will be using parts of this book for my witness accounts as to why I believe he is innocent. I wrote this book under the name Ruth Roberts.

I raised Brian as a single parent and I am very close to him. I had to give him daily insulin shots for 14 years, daily blood glucose tests, and treat insulin reactions, as well as deal with seizures brought on from hypoglycemia. Even after he turned 18 years old, I still had to do daily blood glucose tests when he slept or had low blood sugar, and I had to remain close to him at all times to prevent and treat insulin reactions and to help him through seizures. Brian does not drive, so I have to take him to his doctor appointments, to pick up prescriptions, to run

errands, grocery shopping and on recreational outings. During all of this time that I spend with Brian daily, I have never seen him have an interest in children. These allegations and labels are false to the person that I know and have spent almost every day with since he was born. During the time frame of the police raid, I was dealing with severe insulin reactions and seizures many times per month, and could not leave him alone for more than a couple of hours at the time. Many times I checked on him to find him having a severe insulin reaction in which he had fallen on the floor and many seizures. This was a regular occurrence during that time span that he was accused of downloading child porn.

I also am a witness to how autism and Obsessive Compulsive Disorder (OCD) affects my son. Since he was a very young child he has been sensitive to receiving hugs from anyone and does not like to be touched on his shoulders. This is not uncommon for someone with autism. With his OCD he is very sensitive to anyone touching him or his stuff and constantly washes his hands and uses Germ X due to his fear of getting dirty or getting germs. Because of his autism he has never had a girlfriend and he is a virgin, yet the court has put him on the sex offender registry. He has never been accused of sexually molesting a child or of raping an adult, and yet he is being treated as if he is a threat to society.

I have compiled a list of my eyewitness accounts in his case.

- 1) Evidence of coercion from eyewitness account.

Jailed with Autism Page 9

*I can remember that he kept telling my son to “fess up” and that “someone living in the home downloaded these illegal files and that it had to be either him or his mother and that he didn’t think it was his mother.” He was completely badgering him and pressuring him to confess to a crime that he never committed.*

He made him believe that he was going to charge his mom with the crime if he did not confess.

- 2) Evidence that they didn’t know how to question someone with autism from eyewitness account.

Jailed with Autism Page 23-24

*The police asked me some questions about his autism, and I answered them as best as I could. The problem is that Brian can appear to be very expressive and*

*sociably normal when he talks with other people. This is due to years of speech and language therapy that began when I placed him in a program at a very young age. He was placed in an early intervention program when he was only two years old and also in a public school program for preschoolers that have learning disabilities when he was three and four years of age. Teachers, psychologists, speech therapists and his family worked with him on various problems over the years, and due to all of this special education I had watched him through the years overcome many difficulties that affected him from his autism. Some autistic tendencies disappeared altogether, while other behaviors got noticeably worse over the years.*

*They asked me how much he understands, because to them, they believed that he understood everything that they told him. I told them that I didn't know, and that they would have to get him tested by a professional. Of course, they ignored my advice, and it angers me that they did. Instead of listening to what I had to say, they immediately questioned him alone right after they questioned me.*

They did not consult an expert in autism, nor did they get a professional to come in and test him to see how much he understands, despite the fact that autistic people are in danger of giving false confessions. Autistic people have trouble understanding conversations and questions as a part of their disability, and yet these police officers with no training about autism were allowed to question him alone. It is not uncommon for people with autism to misunderstand what they are being told and yet the police officers did not contact an autism expert to be there during his questioning, nor did they have any kind of training of how to question someone with autism.

There is a paper called *Interview and Interrogation of people with autism (including Asperger syndrome)* which is written by Dennis Debbaut. He points out various reasons why a person with autism will give a false confession due to their deficits in communication problems caused by their autism. One of the points of advice in the paper is for the law enforcement agency to "Seek the advice of a psychiatrist or psychologist who is familiar with autism." He also wrote for them to "Consider contacting a specialist in autism from outside the criminal justice system." They outwardly ignored my advice for them to get him tested by a professional that understands autism, and therefore they got a false confession from him.

- 3) There is proof of false confessions in the discovery report, as seen by eyewitnesses.

A) Jailed with Autism Page 103 (My witness account to the dates in the discovery report.)

*My mom noticed that the date range for the child porn files was way off, and when I read it, I was shocked. I wrote down the information about the dates in my notebook since we were not allowed to make copies of the discovery report. It said, “From the analysis, this record showed that 454 files had been downloaded with the eMule program between July 20, 2012 and July 28, 2013.” Keep in mind that the police raid search was on August 28, 2012. This means that just after 39 days the photos were continuing to be downloaded in the town’s custody and then later in the SBI’s custody. For about 11 months the images were being put onto Brian’s computer by someone or by the trojan virus that had infected Brian’s computer prior to the police raid because after August 28, 2012, he no longer had his laptop computer.*

*What is also quite suspicious is that the dates were about a year which matches Brian’s false confession that he had been downloading these photos for about a year. It seemed obvious that they wanted to make it a year to match his false confession. I guess they thought that nobody would notice that the dates were 11 months after his computer was taken, and the sad thing is that they were right because no one noticed, even two of his lawyers failed to notice those dates.*

Mayodan Police Department Interview Report

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Interview of Brian David Hill

Page 1

[BH]

Q. What is your computer usage and knowledge?

A. I download movies, programs and music.

Q. What type of download software do you use?

A. I use bit torrent programs, like eMule. I only download. I don't share.

Q. Does your mom ever get on your computer?

A. No.

Q. Did you use any other computers to download files?

A. Yes. But I use my black Toshiba the most.

Q. What is your email password?

A. [REDACTED] admin@uswgo.com

Q. How long have you been downloading and viewing child pornography?

A. About a year or so.

Brian says that he had been downloading child porn for 1 year or so. The evidence only shows that there were photos on his computer for 39 days prior to the police raid. This is the time frame in which my son was dealing with a virus on his computer. About almost 11 months of those dates is when his computer was in the custody of the Mayodan Police Department and the State Bureau of Investigations of North Carolina. This is a clear false confession that can be proven from the interview records of the Mayodan Police Department and the discovery report.

B) Jailed with Autism Page 24

*Brian confessed to uploading child pornography onto his computer, and he also told the police officers that he put child pornography on his netbook, so we had to hand the netbook over to the police officers immediately.*

Page 27

*We left the police office, and the police followed us to our house. My son searched for his netbook and then gave it to them. It was odd that the police officers had not taken the netbook during the police raid, and I do not know if they didn't see it or if*

*they just thought that the netbook would not be of any use to them in the investigation.*

Page 28

*The netbook confession actually became a lot more interesting later on in our own personal investigation due to the fact that they never found child porn on the netbook. This was another false confession that Brian made during the interrogation. I will tell more about our discovery about this erroneous confession in a later chapter.*

My mom, stepdad and I met with his second lawyer Scott Coalter in October, 2014 to ask him some questions. He went over some of the discovery report with us. He showed us Brian's confession in the discovery report from the Mayodan Police Department interview report. This is down below.

Mayodan Police Department Interview Report

Q. Is there any other child pornography on any other computers?

A. Yes. I have a Netbook at home that you didn't get.

Q. What is your IRC user name and password?

A. uswgo / [REDACTED].

Q. Do we have your permission to view your emails?

A. Yes. [BH]

I asked Mr. Coalter if they had found child porn on his netbook. He took the time to look up the serial number of the netbook in the discovery report and he told us they had not found child porn on his netbook. This proves that Brian gave another false confession.

Brian Hill filed a FOIA request in an attempt to get his discovery report, which has been denied to him, but he did not receive any of the discovery report that contained the evidence of the dates or about the netbook. He has been forced into filing a FOIA lawsuit in 2016 in the state of Virginia, and this case is still in the court and a hearing has been scheduled for next year.

Why is Brian Hill being denied the discovery report when it contains clear evidence that he is innocent?

- 4) Witness to the timing of his questioning, and that there was no observance in regards to his diabetes prior to his questioning around lunch time.

Jailed with Autism Page 27-28

*One of the police officers tried to have a conversation with me while he looked for his netbook. He said that he had a diabetic son, and I remember asking him if his child had seizures too, and he said that he didn't. This is the only thing that I remember that was said during that time, and this conversation seems so odd to me now writing about it years later. Particularly, when I consider the fact that low blood sugar could have possibly played a role in the false confession.*

Page 26

*Another factor that could have had an influence on his confession is that he was questioned around lunchtime as he had not eaten before going to the police department. We had no idea that we would be there for about 2 and half hours, and so we did not know that we would be there during lunchtime. My parents and I have agonized over what role low blood sugar could possibly have played in his false confession. When his blood sugar is low, he can't think properly and can become frustrated, irritated and quite confused. We do not know what his blood sugar level was during the questioning, and we do not know if his blood sugar could have become low due to the time frame that the questioning was being done. If his blood sugar had dropped around that time, then it is highly possible that he could have just been repeating what they were telling him, and that was that he was guilty.*

Page 29

*If we also factor in the fact that his questioning was around lunchtime, and that he had not yet eaten, and that we did not know what his blood sugar was at the time of questioning, then it is quite possible that his blood sugar might have dropped during the questioning, and they might have taken advantage of his lack of being coherent during an insulin reaction. This could have been possible, and the fact that one of the police officers who questioned him had a son with diabetes meant that he was well aware of how incoherent and confused someone can become when their blood sugar is low.*

According to the Case Supplemental Report from the Mayodan Police Department Brian's questioning began at 11:23 am and it went on for about an hour, which means that he was questioned around lunchtime.

**CASE SUPPLEMENTAL REPORT**  
**NOT SUPERVISOR APPROVED**

Printed: 12/16/2014 10:18

OCA: 201200287

Mayodan Police Department

**THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY**

Case Status: **CLOSED/CLEARED**

Case Mng Status: **CLEARED BY ARREST BY**

Occured: **08/22/2012**

Offense: **SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR**

Investigator: **BRIM, C. T. (374)**

Date / Time: **08/29/2012 11:23:00, Wednesday**

Supervisor: **BRIM, C. T. (374)**

Supervisor Review Date / Time: **NOT REVIEWED**

Contact: **Hill, Brian David**  
**413 North 2nd Avenue, Mayodan**  
**336-510-7972**

Reference: **Suspect Recorded Statement**

Interview of Brian David Hill

I was present when they took him back for questioning and not once did they ask if he needed to test his blood sugar or if he needed to get something to eat prior to their questioning. We do not know what Brian's blood sugar was prior to the questioning.

- 5) I was a witness to one of the hearings, which showed that the Judge did not understand autism and how it could have affected his false confession.

Jailed with Autism Page 93

*At the beginning of the hearing, the judge asked Brian's family to step forward. My parents and I went up and stood behind the lawyer. He then asked me to sit back down and said he just wanted to speak to Brian's grandparents. He asked my mother quite a lot of questions and then asked my stepdad one question. One of the questions he asked my mom blatantly showed his ignorance about autism and how he felt it had nothing to do with Brian's guilt or innocence.*

Page 95

*I would like to address the judge's question to my mom at that hearing. The judge asked, "What does the autism got to do with his guilt or innocence?" I will answer that question here in my book. Autistic people are known to give false confessions, and this has been proven by psychologists in various studies. In the paper "Interview and Interrogation of people with Autism (Including Asperger syndrome)" by Dennis Debaudt, he outlines possible traps that can occur when interrogating a person with autism. In one paragraph he says, "The higher-functioning person through his or her responses, and the unaware interrogator through their beliefs, may become unwitting accomplices to continuing a faulty investigation in the best case or, in the worst case, to extracting a false*

*confession." It is a well known fact that autistic people are in danger of giving false confessions; therefore, this is now being put on autism first responder cards. These are cards that are carried by people with autism and their families to be given to the police, fire fighters, EMT's and other departments in the case of an emergency or questioning by the police.*

The Judges question was recorded in the court transcript, as is shown below.

12                   THE COURT: Let me ask you first. This affidavit  
13 says that "I have been told by Brian's grandparents, Ken  
14 Forinash and Stella Burnett, that Brian wants to withdraw his  
15 guilty plea because he is innocent, and he wants a substitute  
16 public defender." Did you all tell her that?  
17                   MS. BURNETT: Yes, sir, we did.  
18                   THE COURT: And why did you tell her that?  
19                   MS. BURNETT: Because Brian is innocent, and he's  
20 really not been represented. This attorney has never talked to  
21 us until right at the end. He called us the night before the  
22 sentencing hearing and told us to have Brian to plead guilty  
23 and so that's what we did, and that was wrong because Brian is  
24 not guilty. He's got autism. He's not guilty. He doesn't  
25 like being around children.

- Hearing - September 30, 2014

1                   THE COURT: What does the autism got to do with his  
2 guilt or innocence?

## 6) Eyewitness account of ineffective counsel.

Brian's attorney Eric Placke called me on June 9, 2014.

Jailed with Autism: Page 84-85

*My parents and I got a depressing call from Brian's lawyer on the same night. He talked to me for about an hour, and he tried to pressure me into convincing Brian to take the plea agreement. I was told that the jury would see the evidence that the SBI found on Brian's computer, and they would be told of his confession at the police department the day after the raid on our home. In addition to this there was*

*also the psychologist's report stating that Brian was a pedophile, and I was also told that he would not tell the jury about Brian's autism. He said that my parents and I would not be permitted to testify for Brian. He told me that Brian could get 20 years in prison, and that he believed he would get the 20 years if he didn't take the plea. I was devastated! I told him that I would talk to Brian when he calls me.*

*I called my parents, and they told me that they also got a call from his lawyer and the lawyer at Disability Rights. We discussed everything that was said, and all agreed that we needed to convince Brian to take the plea agreement. There was just no chance that he was going to win his case against the Federal government. They had everything that they needed to convict him for 20 years. The plea agreement that they were offering him was that he would plead guilty and in exchange he would get time served, 10 years on probation and the Sex Offender Registry. In part, he was given such a good plea because they were taking into consideration his autism. The plea agreement sounded a lot better to us than 20 years in prison, so we were going to do our best to push Brian to take the plea. We were upset that the lawyer didn't seem to have anything for a jury trial prepared. I remember that he just got back from another vacation or trip (he took two trips during the time he represented Brian), so that seemed to be a big part of the reason why he wasn't prepared for this trial. He was also unable to get the judge to give him more time, which made it nearly impossible for him to prepare a proper defense for Brian. My parents had faxed Brian's lawyer a bunch of documents for Brian's case, and Brian had given his lawyer a lot of information to use in a trial, but all of those documents we sent for Brian's defense, and all the information Brian gave him seemed to have fallen on deaf ears. All that we had done to help Brian prepare for his trial seemed somewhat like a waste of time at this point. Brian spent numerous hours putting together documents that we sent him in prison and writing motions to the court. Most of the motions that he wrote over the course of his case was dismissed by the judge. It seemed odd that after all the work that was done to help Brian prepare for his trial to prove his innocence, and after all the work that Brian did in prison with his research at the law library, none of it was used by the lawyer to help Brian.*

It was after Brian's conviction that we were finally able to look at the discovery report and saw that the dates included approximately 11 months in which Brian did not have his computer.

Why didn't his attorneys notice those dates and that his confession about the netbook wasn't true?

Why didn't his attorneys find an autism expert to testify about the known fact that people with autism are in danger of giving false confessions due to their communication problems?

Why didn't Eric Placke find a diabetes expert to testify about low blood sugar and the dangers of questioning a type one brittle diabetic around lunch time without offering him food or allowing him to check his blood sugar?

Why did Eric Placke not use any of the evidence that his family and friends sent to him?

Why didn't Mr. Placke use the dates for a defense?

It is clear from all that I have witnessed that Mr. Placke was an ineffective counsel.

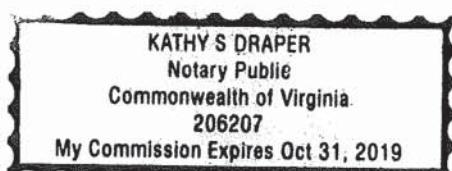
I declare the above is true and correct to the best of my knowledge.

**I declare under penalty of perjury that the foregoing is true and correct.**

Executed on November 7, 2017

State / District of Virginia  
City / County of Martinsville  
The foregoing instrument was acknowledged before me this 7th  
day of November, 2017, by Roberta Ruth Hill

My commission expires: 10/31/2019



Roberta Ruth Hill

(Brian's Mom)

Roberta Ruth Hill  
Signed

Home #: (276) 790-3505  
310 Forest Street, Apartment 1  
Martinsville, VA 24112

# **EXHIBIT 53**

**For Federal criminal case**

**-- BRIEF / MEMORANDUM IN SUPPORT OF  
BRIAN DAVID HILL'S "MOTION UNDER 28  
USC § 2255 TO VACATE, SET ASIDE, OR  
CORRECT SENTENCE BY A PERSON IN  
FEDERAL CUSTODY" - DECLARATION,  
ATTACHED EXHIBITS, AND BRIEF IN  
SUPPORT OF THIS MOTION --**

**United States of America v. Brian David Hill  
(Brian D. Hill) (formerly USWGO Alternative  
News)**

**Criminal Case Number 1:13-cr-00435-1**

**U.S.W.G.O.**



## DISABLED PARKING PLACARDS OR LICENSE PLATES APPLICATION

MED 10 (02/17/2011)

**Purpose:** Use this form to apply for a disabled parking placard or disabled parking license plates.

**Instructions:** Submit to any Customer Service Center, DMV Select or mail to DMV, Data Integrity, P.O. Box 85815, Richmond, VA 23285-5815.

- For a parking placard, submit this form with a \$5.00 check or money order payable to DMV. Placard will be mailed to you in approximately 15 days. Only one placard may be issued to a customer.
- For disabled parking license plates, submit this form, a License Plate Application (VSA 10) and applicable fees.

### DISABLED PARKING PLACARD ONLY

(Disabled parking placards hangs from the rearview mirror)

CHECK ONE

PERMANENT (5 years)

Original (medical professional certification required)

Renewal (No medical professional certification required.)

PERMANENT REPLACEMENT (5 years)

Lost  Stolen

Destroyed  Mutilated

TEMPORARY (up to 6 months)

Original

Reissue

TEMPORARY REPLACEMENT

Lost  Stolen

Destroyed  Mutilated

Reissue

### DISABLED PARKING (OR) LICENSE PLATE ONLY

ORIGINAL PLATES

Complete and submit form VSA 10

DUPLICATE

Lost  
 Destroyed

REISSUE

Unreadable (License-plate letters or numbers unclear)  
 Never received license plates

Check this box if this vehicle is specifically equipped and used for transporting groups of physically disabled persons.

VEHICLE IDENTIFICATION NUMBER (VIN)

TITLE NUMBER

I am the vehicle owner and the parent/legal guardian of a disabled dependent(s). List the name of each disabled person below.

APPLICANT INFORMATION				
FULL LEGAL NAME (last) (first) (middle)		DMV ASSIGNED NUMBER OR SOCIAL SECURITY NUMBER		
HILL BRIAN David		[REDACTED]		
CURRENT RESIDENCE ADDRESS 310 Forest St., Apt. 2		Check here if this is a new address.		
CITY Martinsville		STATE VA	ZIP CODE 24112	
DAYTIME TELEPHONE NUMBER OR CELL PHONE NUMBER 276-790-3505				
MAILING ADDRESS (if different from above)		CITY	STATE	ZIP CODE
BIRTH DATE (mm/dd/yyyy) <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE		HAIR COLOR	EYE COLOR	HEIGHT FT IN WEIGHT LBS

### APPLICANT CERTIFICATION

I understand that misuse, counterfeiting, or alteration of disabled placards may result in fines up to \$1000, and up to 6 months in jail and/or revocation of disabled parking privileges. I certify that I have a (check one):  Temporary  Permanent disability that limits or impairs my ability to walk or creates a safety concern while walking.

I also understand that the disabled parking placard or plates issued to me cannot be loaned to anyone, including family members or friends, to benefit a person other than myself.

I further certify and affirm that all information presented in this form is true and correct, that any documents I have presented to DMV are genuine, and that the information included in all supporting documentation is true and accurate. I make this certification and affirmation under penalty of perjury and I understand that knowingly making a false statement or representation on this form is a criminal violation.

APPLICANT SIGNATURE

Brian D. Hill  
Signed

DATE (mm/dd/yyyy)

08/18/2016

## LICENCED PHYSICIAN/PHYSICIAN ASSISTANT/NURSE PRACTITIONER MEDICAL CERTIFICATION

(This section does not have to be completed to renew permanent placards.)

Permanently limited or Impaired. A permanent disability as it relates to disabled parking privileges shall mean: a condition that limits or impairs movement from one place to another or the ability to walk as defined in Virginia Code §46.2-1240, and that has reached the maximum level of improvement and is not expected to change even with additional treatment.

Temporarily limited or Impaired beginning in the month of \_\_\_\_\_ and ending in the month of \_\_\_\_\_ (not to exceed 6 months).

Reason this patient's ability to walk is limited or Impaired or creates a safety condition while walking. (Check below)

Cannot walk 200 feet without stopping to rest.

Uses portable oxygen.

Cannot walk without the use of or assistance from any of the following: another person, brace, cane, crutch, prosthetic device, wheelchair, or other assistive device.

Has a cardiac condition to the extent that functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.

Is restricted by lung disease to such an extent that forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than 60 millimeters of mercury on room air at rest.

Is severely limited in ability to walk due to an arthritic, neurological, or orthopedic condition.

Has been diagnosed with a mental or developmental amentia or delay that impairs judgment including, but not limited to, an autism spectrum disorder.

Has been diagnosed with Alzheimer's disease or another form of dementia.

Is legally blind or deaf.

Other condition that limits or impairs the ability to walk. Specific condition description must be specified below.

I certify and affirm that the described applicant is my patient, whose ability to walk, based on my examination, is limited or Impaired or creates a safety concern while walking as described above.

I further certify and affirm that to the best of my knowledge and belief, all information I have presented in this form is true and correct, that any documents I have presented to DMV are genuine, and that the information included in all supporting documentation is true and accurate. I make this certification and affirmation under penalty of perjury and I understand that knowingly making a false statement or representation on this form is a criminal violation.

MEDICAL PROFESSIONAL NAME <b>Shyam BALAKRISHNAN</b>	OFFICE TELEPHONE NUMBER (276) 870 3300	OFFICE FAX NUMBER (276) 634-0362
LICENSE TYPE <b>MD</b>	LICENSE NUMBER (required)	STATE ISSUING LICENSE (required) <b>VA</b>
MEDICAL PROFESSIONAL SIGNATURE		LICENSE EXPIRATION DATE (mm/dd/yyyy) (required) <b>8/31/16</b>
DATE (mm/dd/yyyy) <b>8/31/16</b>		

## LICENCED PHYSICIAN/PHYSICIAN ASSISTANT/NURSE PRACTITIONER MEDICAL CERTIFICATION

(This section does not have to be completed to renew permanent placards.)

Permanently limited or Impaired. A permanent disability as it relates to disabled parking privileges shall mean: a condition that limits or impairs movement from one place to another or the ability to walk as defined in Virginia Code §46.2-1240, and that has reached the maximum level of improvement and is not expected to change even with additional treatment.

Temporarily limited or Impaired beginning in the month of \_\_\_\_\_ and ending in the month of \_\_\_\_\_ (not to exceed 6 months).

Reason this patient's ability to walk is limited or Impaired or creates a safety condition while walking. (Check below)

Cannot walk 200 feet without stopping to rest.

Cannot walk without the use of or assistance from any of the following: another person, brace, cane, crutch, prosthetic device, wheelchair, or other assistive device.

Is severely limited in ability to walk due to an arthritic, neurological or orthopedic condition.

Other condition that limits or impairs the ability to walk. Specific condition description must be specified below.

I certify and affirm that the described applicant is my patient, whose ability to walk, based on my examination, is limited or Impaired or creates a safety concern while walking as described above.

I further certify and affirm that to the best of my knowledge and belief, all information I have presented in this form is true and correct, that any documents I have presented to DMV are genuine, and that the information included in all supporting documentation is true and accurate. I make this certification and affirmation under penalty of perjury and I understand that knowingly making a false statement or representation on this form is a criminal violation.

MEDICAL PROFESSIONAL NAME	OFFICE TELEPHONE NUMBER	OFFICE FAX NUMBER
( )	( )	( )
LICENSE TYPE	LICENSE NUMBER (required)	STATE ISSUING LICENSE (required)
MEDICAL PROFESSIONAL SIGNATURE		LICENSE EXPIRATION DATE (mm/dd/yyyy) (required)
		DATE (mm/dd/yyyy)

## DMV USE ONLY

PLATE NUMBER	PLATE EXPIRATION DATE (mm/dd/yyyy)	EMPLOYEE NUMBER
CUSTOMER CREDIT CARD NUMBER		
CREDIT CARD EXPIRATION DATE (mm/dd/yyyy) (IF USED)		



Hill, Brian (MRN 7244793)

Encounter Date: 07/18/2016

Your Current Medications Are (continued)

31 gauge x 3/16" Needle

Insulin Needles, Disposable, (BD INSULIN  
PEN NEEDLE UF SHORT) 31 gauge x 5/16"

1 Units by Does not apply route four times daily

Needle

glucose blood VI test strips (FREESTYLE  
INSULIN TEST STRIPS) Strip

1 Strip by external route three times daily

Blood-Glucose Meter (ACCU-CHEK AVIVA  
PLUS METER) Misc

1 Device by Does not apply route three times daily

Insulin Syringe-Needle U-100 (BD INSULIN  
SYRINGE ULTRA-FINE) 1 mL 30 x 1/2"

Syringe

Pharmacy

WALGREENS DRUG STORE 12495 - MARTINSVILLE, VA - 2707 GREENSBORO RD AT NWC OF RIVES & US

220

2707 GREENSBORO RD MARTINSVILLE VA 24112-9104

Phone: 276-632-0180 Fax: 276-632-6759

Open 24 Hours?: No



**CARILION CLINIC, FAMILY AND INTERNAL MEDICINE**  
1107a Brookdale Street  
Martinsville VA 24112  
Phone: 276-670-3300  
Fax: 276-634-0379

5/16/2017

**RE:**  
Brian Hill  
310 Forest St Apt 2  
Martinsville VA 24112-4939

**To Whom it May Concern:**

This is to certify that Brian Hill is my patient since 11/2014. He has a diagnosis of diabetes, seizures, autism and obsessive compulsive disorder. One or more of these condition can limit his ability to be in social situation or among people and do work.

Please feel free to contact my office if you have any questions or concerns. Thank you for your assistance in this matter.

Sincerely,



Shyam E Balakrishnan, MD

DIVISION FOR TREATMENT AND EDUCATION OF AUTISTIC  
AND RELATED COMMUNICATION HANDICAPPED CHILDREN

Department of Psychiatry  
University of North Carolina

D I A G N O S T I C E V A L U A T I O N

Patient: Brian Hill  
Chart #: 60373

D.O.B. [REDACTED]

Center: High Point, NC  
Date: 10-19-94

Staff: Marquita Fair, Child Therapist  
Allison Butwinski, Parent Consultant  
Dr. Roger D. Cox, Licensed Practicing Psychologist and  
Clinical Director

TESTS ADMINISTERED:

Psychoeducational Profile-Revised (PEP-R)  
Vineland Adaptive Behavior Scale

REFERRAL INFORMATION:

Child's Name: Brian Hill

Age: 4 years 5 months

Address: 133 Mike Lane, Reidsville, NC 27320

Parents: Roberta Hill

Current Status: Lives at home with mother and is being served in  
a preschool developmental delayed classroom at Bethany

Referral Source: Sheila Shelton

Reason for Referral: Clarification of diagnosis and educational  
planning

DEVELOPMENTAL HISTORY:

Brian was born prematurely weighing 3 pounds, 13 1/2 ounces. He received phototherapy for hyperbilirubinemia and was discharged from the hospital at approximately 2 weeks of age. At 18 months, he was hospitalized for 6 days with the onset of insulin dependent Diabetes Mellitus. He currently is taking NPH insulin and Regular insulin and his diet is regulated according to the American Diabetic Association diet. At 35 months Brian was seen at the Greensboro DEC due to language delays. There were concerns regarding Brian's social relatedness and language development. It was felt that his neurodevelopmental profile may represent a form of a pervasive developmental disorder and a TEACCH referral was recommended.

Currently, Brian uses words and short phrases to express his needs. He exhibits pronoun reversals, immediate and delayed echolalia, and repeats some phrases he has heard over and over. He understands and follows simple routine commands but cannot use or answer "Wh" questions.

Though aware of others, Brian has difficulty interacting with them. He is beginning to show an interest in other children but does not initiate interactions. Brian's favorite activities include stacking blocks and listening to music. He recently has become more aware of his mother when she picks him up from school and sometimes greets her by saying "mommy". Brian occasionally becomes upset when he does not have his way and is prone to small episodes of temper tantrums.

FAMILY STATUS:

Brian lives at home with his mother, Roberta Hill in Reidsville. His mother and father are divorced and Brian does not have contact with his father. His maternal grandparents live nearby and he sees them frequently. During the evaluation, Roberta was very friendly and easy to talk to. She offered some very nice information about Brian.

EDUCATIONAL PLACEMENT:

Brian is currently being served in a preschool developmental delayed class at Bethany Preschool in Reidsville. Brian's teacher, Sheila Shelton, who attended the evaluation, felt that Brian had made very nice progress since his enrollment. She appeared flexible and willing to develop a program that considers Brian's individual needs.

DESCRIPTION OF CHILD:

Brian is a cute 4 year 4 month old boy. He was appropriately dressed in long pants and a long sleeved shirt. He was accompanied to the TEACCH Center by his mother, Roberta Hill.

BEHAVIORAL OBSERVATIONS DURING TESTING:

Relating, Cooperating, and Human Interest:

Brian, joined by his mother, accompanied the examiner to the testing room. He whimpered as his mother left the room. When offered a toy, Brian immediately settled down and showed a fleeting interest in the toys on a table. At the start of testing, Brian resisted joining the examiner at the work table. When he became upset, his language consisted largely of echolalia. Although he frequently whined when he did not get his way, he never actually cried. Brian's behavior was unpredictable when he attempted to engage in an activity. When materials were presented, Brian perseverated with them, making it difficult for him to relinquish materials when the task was completed. For example, Brian continued to fuss and ask for bubbles and play-doh.

even when they were put away. He asked for the bubbles so often that they were eventually used as a reinforcer when he completed tasks.

Brian's attention to test items varied depending on his interest in the task. When he showed an interest in the items presented, he resisted putting them away. For example, Brian enjoyed doing puzzles, matching colors, and copying shapes. When he was instructed to put them away, he whined and said "do again, do again". Once he became familiar with placing the completed tasks in the "finished basket" it was easier for him to continue on to the next task. He showed limited interest in the kaliedoscope and counting which resulted in him placing incomplete tasks in the "finished basket". Brian was distracted by noises heard outside the door and in the observation booth, which made it difficult to redirect him back to tasks.

\* Brian was always aware of the examiner's presence. Eye contact was frequent and usually brief. He initiated social interaction by requesting the examiner to join him at the mini-trampoline and holding his hand. Brian appropriately asked for help and used gestures. He often asked for a "tissue please", returning the tissue to the examiner for disposal. He enjoyed being tickled, and although he did not ask for this activity to continue, he backed into the examiner with his arms stretched out as if to indicate that he wanted more.

#### Sensory Behavior:

Brian usually responded to his name by repeating it. He did not look at the examiner. He appropriately responded to various noisemakers. No unusual interests in taste or textures were noted during testing.

#### Play and Interest in Materials:

Although Brian often resisted sitting at the work table, he was able to focus on materials when they were presented. He was usually creative in how he used many of the materials. For example, when he used blocks, he made a three dimensional design twice and called them "pyramids". Another time he used the blocks to build "towers". As he identified letters, he told the examiner what each letter stood for; "G for goose", "A for apple", and "Y for yarn". When he used the scissors, he cut out shapes (rectangle and square) and identified them. Brian had his own agenda for completing the tasks. He became upset whenever the examiner suggested that he attempt a task differently.

Brian was most cooperative with tasks that involved writing, copying, matching, and coloring. He anxiously wrote his first and last name several times although not in sequential order. Brian copied shapes, focusing his attention on the examples presented when he was not sure how to draw a shape (triangle and diamond). Brian showed little interest in playing with puppets and pantomining object use.

During free play, Brian chose to jump on the mini-trampoline, play with a toy motorcycle with a man on it, and walk up and down the

wooden steps. When he realized the steps could be turned over to be a rocking boat, he asked for help to turn it over so he could use it alternately as steps and a boat. Several times, he stood near the door and asked for his mother. However, he was easily redirected back to a play activity.

Competence Motivation:

Brian quickly understood the routine of placing finished materials in the "finished basket" to his right. He often returned to the table if he forgot to put his completed tasks in the "finished basket". Organizing three tasks at a time on a table on Brian's left helped him understand how much work he had to do before he could leave the table to go play.

Brian often expressed pleasure with himself by smiling at the examiner and frequently saying "good job". Verbal praise from the examiner was also motivating to Brian.

Language:

Brian used language and gestures to communicate. At the start of testing, Brian's language consisted mostly of delayed and immediate echolalia. At times, his language was difficult to understand. He often commented during testing, but seldom directing his comments to the examiner. Brian asked questions such as, "can I blow?", "can I do bell again?", and "is this a birthday cake"? However, Brian had much more difficulty answering questions.

RESULTS AND SUMMARY OF THE PEP-R:

The Psychoeducational Profile-Revised (PEP-R) is a developmental test designed specifically for autistic and communication handicapped children. The child's performance is scored in several different function areas, and totalled to provide an overall developmental age score. Brian's overall score was 101, which resulted in an age equivalent of approximately 3 years 9 months.

On the PEP-R, Brian scored as follows:

<u>Function Area</u>	<u>Age Level</u>
Imitation	4 yrs. 6 mos.
Perception	4 yrs. 1 mo.
Fine Motor	3 yrs. 3 mos.
Gross Motor	3 yrs. 1 mo.
Eye Hand Integration	4 yrs. 7 mos.
Cognitive Performance	3 yrs. 3 mos.
Cognitive Verbal	3 yrs. 9 mos.
Developmental Score	3 yrs. 9 mos

When assessed with the PEP-R, Brian's test scores indicated relative weaknesses in the motor area and relative strengths in eye-hand integration.

Brian was able to receptively and expressively identify pictures in a language book, demonstrate the function of objects, sort cards, identify numbers, and sort objects.

He had several emerging abilities, including identifying objects by touch, drawing a person, and copying a diamond.

DIAGNOSIS:

Autism - mild range

INTERPRETIVE CONFERENCE SUMMARY:

Attending Brian's interpretive conference were his mother, Roberta Hill, his preschool teacher, Sheila Shelton, and TEACCH staff, Allison Butwinski and Dr. Roger Cox. Results of the test administered were shared indicating Brian has many of the characteristics of mild autism. It is felt that Brian would benefit from a classroom with a small teacher to student ratio, individualized instruction, and autistic interventions.

RECOMMENDATIONS:

1. Brian would benefit from placement in a classroom with a small teacher to student ratio. The classroom environment should be free of distractions. A specific work area should be set up for Brian with a desk and boundaries to minimize distractions.
2. The classroom teacher should be experienced in autism, and have knowledge of structured teaching techniques. A three day training is being offered November 28-30 at the Gateway Education Center in Greensboro. The purpose of this training is to teach strategies that are typically successful in working with and teaching new skills to children with autism.
3. Brian should receive one-on-one teaching sessions 2-3 times a day to develop new skills. A teacher should sit across from Brian and present materials using the routine of working from left to right. Brian will place completed work to his right in a "finished basket". This will help him understand that what he has to do is in a basket to his left, how much work he has to do by the number of baskets with work in them, and he is finished when all the baskets are gone. He should be allowed breaks away from the table between tasks. It is important that Brian understand the contingency of working first and then receiving a break.
4. Brian's IEP should reflect the acknowledgement that he is a child diagnosed with autism. Specific strategies and teaching methods recommended by TEACCH should be addressed.

5. Brian's teacher for next year should be identified as early as possible in order that a request to attend TEACCH summer training for next year can be submitted.

Marquita Fair  
Marquita Fair, Child Therapist

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